



Fiscal Year 1992 Enforcement Report

Ecology Enforcement Unit

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Fiscal Year 1992, Enforcement Report

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Introduction

The Washington State Legislature created the Department of Ecology (Ecology) in 1970 in response to public concerns about environmental problems in the state. The Department of Ecology was given the authority to “manage and develop our air and water resources in an orderly, efficient, and effective manner, and to carry out a coordinated program of pollution control....”.

Since 1970, the number and types of industries in the state, and the population as a whole, have grown significantly. During this same period the number and complexity of environmental impacts has increased. As a result, the number and complexity of environmental regulations has also increased. With the increased authority contained in these new regulations has come increased responsibility for the Department of Ecology.

As part of a coordinated program of pollution control, Ecology must assure compliance with the existing environmental laws. Ecology stresses, both in practice and policy, the importance of providing an opportunity for the regulated community to voluntarily comply with environmental laws. The agency supports and has dedicated resources to environmental education for the regulated community. Nevertheless, the ultimate responsibility for complying with environmental statutes and regulations lies with those individuals and facilities engaging in the regulated activity. When voluntary compliance cannot be achieved, the agency can use formal enforcement to "generate compliance". The agency has no interest or benefit in shutting down businesses, but does have an obligation to ensure that the economic benefit of noncompliance is eliminated. This assures that businesses which "play by the rules" can remain competitive.

This report covers the State of Washington fiscal year 1992, (July 1991-July 1992). Only "formal" enforcement actions taken by Ecology are discussed in this report. It is estimated that for over 90% of the situations Ecology responds to, compliance is obtained without the use of formal enforcement. Also, local air authorities, county health departments, municipalities, and other government bodies have limited authority to enforce environmental laws; however, this report does not cover their activities.

Summary of Enforcement Options

When voluntary compliance cannot be obtained, formal enforcement must be used. The following list summarizes Ecology's formal enforcement options. The options discussed below apply to most, but not all, programs administered by Ecology.

1. Notice of Violation: A Notice of Violation (NOV) is a document authorized by Chapter 90.48 RCW, Chapter 90.58 RCW, Chapter 70.94 RCW which provides formal notice that a specific violation has occurred or is about to occur, and requests a report from the violator (typically within 30 days) on the circumstances surrounding the violation and what steps are being taken to correct or prevent the violation. An NOV, authorized by Chapter 90.48 RCW or Chapter 90.58 RCW, may not be needed prior to issuing an administrative order and/or civil penalty when the Department of Ecology is sufficiently aware of the circumstances and the appropriate measures to correct the problem. However, use of a NOV is mandatory prior to issuing penalties under Chapter 70.94 RCW. Unless immediate action is necessary, NOVs are also mandatory under Chapter 90.48 RCW. NOVs are discretionary under Chapter 90.58 RCW. The NOV is not a warning letter, but a formal notice authorized by law.

2. Administrative Order: This is a unilateral order requiring a person or business to take steps to correct violations. Administrative orders are authorized by statute. All orders can be appealed. Most orders are appealed to the Pollution Control Hearings Board (PCHB). Model Toxic orders (Chapter 70.105D RCW), and certain orders issued under the State Oil Spill Law (Chapter 90.56 RCW) are treated differently, they are only reviewed in superior court. For Model Toxics orders there is no pre-enforcement review. (See RCW 70.105D.160)

3. Consent Order, Response Order by Consent, Agreed Order, Compliance Order: These are all terms used to describe the same basic document. It is a negotiated agreement between the agency and regulated party. They maybe used instead of an administrative order. Basically they are contracts, which are enforceable in court. They typically include a dispute resolution clause and enforcement provisions.

4. Consent Decree: Is an agreement negotiated and entered into by parties to resolve actual or threatened litigation. The consent decree is filed with the court, signed by a judge and enforceable as an order of the court. Failure to comply with a consent decree can result in a finding of contempt and imposition of whatever sanctions the court deems appropriate, including jail. In the case of the Model Toxic Act, the entry of a consent decree is preceded by the filing of a civil complaint against the parties and is in effect as long as necessary to achieve the desired result.

5. Civil Penalty: Can be imposed only when specifically authorized by statute. Statutes authorizing civil penalties set maximum amounts, usually on a per day basis. (Some statutes also set minimum amounts.) Prior to filing a formal appeal, a violator can, under most statutes, request that Ecology mitigate, suspend or cancel the penalty. Unless extraordinary circumstances exist, such as the existence of facts not known to Ecology when the penalty was issued, the penalty must be affirmed. Requesting mitigation is optional, but must be done within 15 days of receiving the penalty. Ecology is not required to respond to applications for relief within a specific time period.

The violator has 30 days to appeal the penalty to the PCHB. The 30 day appeal period runs either from the date the penalty is received, or if an application for relief is submitted, from the date Ecology's response to the application is received. Failure to appeal means the penalty is due and owing.

6. Injunctive Relief: Involves a court order or decree that requires a person to do or refrain from doing a particular activity. Injunctions can be sought on an emergency basis. Injunctions can be appropriate in a variety of situations, especially when a violator refuses to comply with terms of an order (assuming a stay has not been granted).

7. Criminal Prosecution: Is the most severe enforcement action authorized by statute. Many of the statutes Ecology implements contain criminal sanctions. Criminal prosecution can be recommended in certain cases involving willful or intentional violations. The decision to initiate criminal proceedings is made by the local prosecutor and not Ecology. Ecology and the AG's office can, however, strongly recommend to the local prosecutor that criminal sanctions be pursued. The burden of proof in a criminal case is much higher than that required in a civil proceeding at the PCHB or superior court.

Overview

During the 1992 fiscal year (July 1991 - June 1992), the Department of Ecology issued 412 formal civil enforcement actions. Formal actions include Notices of Violation (NOV), all orders and penalties. The total number of enforcement actions for 1992 is about equal to the number of actions taken in the 1991 fiscal year. For both fiscal years the number of penalties is about equal to the number of orders.

As in past years, two programs account for the vast majority of enforcement actions. Central Programs, which includes the agency's industrial and spills sections, issued a total of 119

enforcement actions. Actions taken by the industrial section, which is responsible for environmental regulation at major industrial facilities, accounted for 109 of the 119 formal actions. The Water Quality Program, which is responsible for both point and non point water pollution issues, was responsible for 112 formal enforcement actions. The Water

Resources Program, which is responsible for the regulation of dam safety, water rights, and well drilling issued, 60 formal enforcement actions. Ecology's Air Program which regulates certain facilities, motor vehicle exhaust, and wood burning issued 48 formal actions. (Note: Local air authorities are primarily responsible for regulating most forms of air pollution in and around major municipal areas.) The Toxics Cleanup Program which is responsible for overseeing the cleanup of contaminated sites, issued 35 formal enforcement actions. The Solid and Hazardous Waste Program regulates permits for landfills as well as the transportation, storage, treatment, and disposal of hazardous waste. This program issued 20 formal actions. The Shorelands Program oversees local shorelands development plans and helps counties with the regulation of shoreland development. The Shorelines Program issued 18 formal enforcement actions during the 1992 fiscal year. (Please refer to Table 1.)

Enforcement Action Summary - FY 91&92								
	Notices of Violation		Orders		Penalties		Total of All Actions	
	FY 91	FY 92	FY 91	FY 92	FY 91	FY 92	FY 91	FY 92
Air Quality	29	32	2	1	11	15	42	48
Central Programs	5	16	19	36	67	67	91	119
Shorelands	NA	NA	24	6	21	12	45	18
Solid & Haz. Waste	NA	NA	20	10	12	10	32	20
Toxics Cleanup	NA	NA	19	34	1	1	20	35
Water Quality	72	37	34	38	31	37	137	112
Water Resources	NA	NA	23	43	14	17	37	60
TOTALS	106	85	141	168	157	159	404	412

Table 1

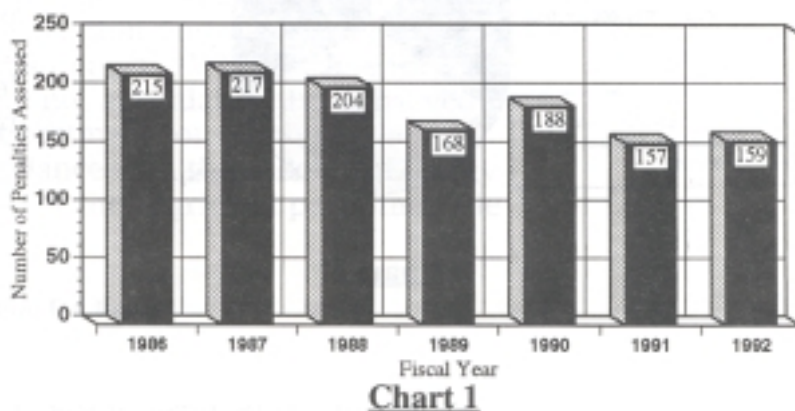
Penalty Trends

Ecology views penalties as a tool which can be used to provide economic motivation to ensure compliance with the law. To be effective they must influence the behavior of the specific violator and the regulated community as a whole. They help to correct of violation(s) and act as a deterrent for future violations.

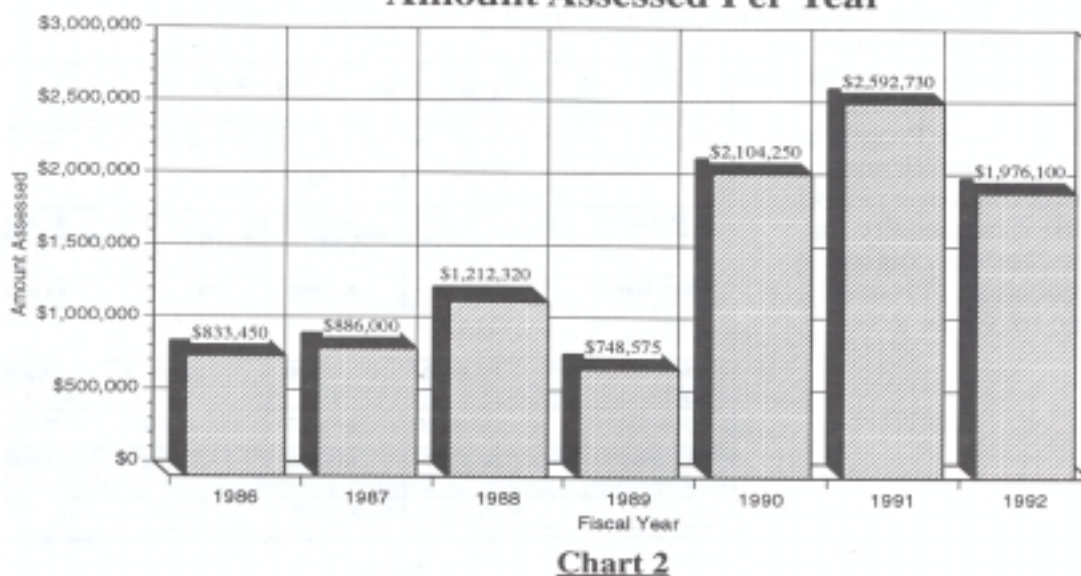
From 1986 to 1992, a gradual decline in the number of penalties issued has been recorded. (Please refer to Chart 1.) During this same time period, the dollar amount of penalties has increased. (Please refer to Chart 2.)

During the 1992 fiscal year, 159 penalties were issued. The total dollar amount assessed was \$1,976,100. This value is less than the amount assessed in 1991, but does continue the trend of significantly larger total penalty amounts for the 1990's.

Number of Penalties Issued by Ecology
(Per Fiscal Year)



Amount Assessed Per Year



1992 Fiscal Year Penalties
Grouped by Assessed Amount

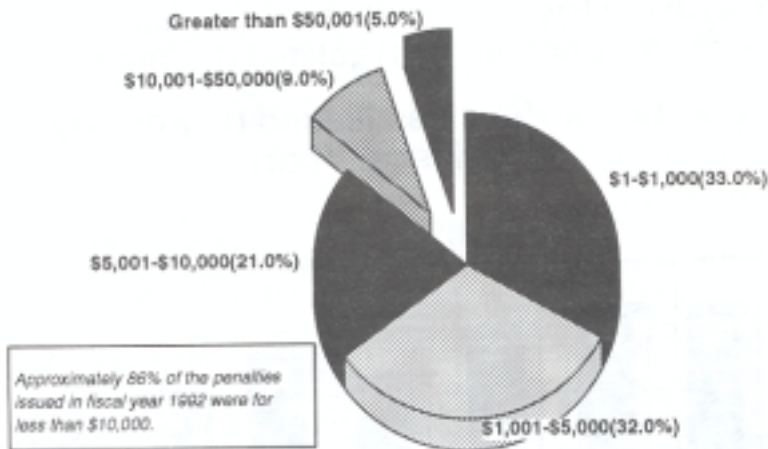


Chart 3

In general, fewer penalties are being assessed. But there is a trend toward assessing higher penalty amounts in certain cases. In fact, 25 penalties accounted for over three-quarters of the 1992 assessed amount. About sixty-five percent of the penalties issued in the 1992 fiscal year were for less than \$5,000. (Please refer to chart 3.)

The agency median penalty amount was \$2,250. This is significantly lower than the \$15,250 median penalty amount for the Solid and Hazardous Waste Program. The relatively large penalties issued by this program are representative of the nature of the violations found. In 1992, the median penalty amount for the Water Resources Program, Air Quality Program, and Water Quality Program increased significantly. During this same period the median penalty for Shorelands decreased significantly. (Please refer to Table 2.)

Penalty Summary FY 91 & FY 92				
	Total Amount Assessed		Median Penalty Amount	
	FY 91	FY 92	FY 91	FY 92
Air Quality	\$10,900	\$36,300	\$500	\$1,500
Central Programs	\$722,000	\$725,750	\$4,500	\$4,000
Shorelands	\$380,880	\$43,000	\$30,000	\$1,500
Solid & Haz. Waste	\$1,232,500	\$718,000	\$17,500	\$15,250
Toxics Cleanup	\$3,000	\$2,000	\$3,000	\$2,000
Water Quality	\$229,750	\$404,750	\$1,500	\$2,500
Water Resources	\$13,700	\$46,300	\$150	\$1,000
TOTALS	\$2,592,730	\$1,976,100	\$3,000	\$2,250

Table 2

Appeals Overview

Once a penalty or order has been issued, the violator has a right to appeal. A penalty appeal may take one of two forms: 1) an Application for Relief filed with Ecology, and/or 2) an Appeal filed with the Pollution Control Hearings Board (PCHB); or for shorelands penalties, the Shorelands Hearing Board (SHB).

Most orders can only be appealed directly to the PCHB. Shorelines orders are an exception, they may only be appealed directly to superior court. (While orders for the Toxic Cleanup Program are not appealable, the aggrieved party may petition the department for reimbursement of cost associated with compliance with the order. If Ecology refuses to reimburse the cost the aggrieved party may file suits to recover its costs.)

Appeals to Ecology - Application for Relief (Penalties Only)

An Application for Relief (AFR) is a statement by the violator explaining why Ecology's action was unjust or unduly harsh, and why the action should be rescinded or reduced. The violator signs the Application for Relief in the presence of a notary.

Ecology considers the information in the Application for Relief and determines if the penalty is to be canceled, affirmed, or reduced. The AFR process is optional. Persons can appeal directly to an environmental hearings board.

Appeal to an Environmental Hearings Board - (Orders - Penalties)

Any party wishing to contest a final decision made by Ecology has the right to appeal to the Pollution Control Hearings Board, or for shoreline penalties the Shoreline Hearings Board. The appeal must be filed directly with the Hearings Board within thirty calendar days of receipt of the action, or Ecology's response to the application for relief. Both the violator and Ecology have the right to appeal the Hearings Board decision to superior court.

Appeals History

Typically, about one-third of the penalties assessed in any given year are appealed. In fiscal year 1992, forty-six penalties were appealed (29%). The dollar amount represented by the appealed penalties is typically two-thirds of the total assessed amount. In fiscal year 1992, the dollar amount of the appealed penalties accounted for seventy-one percent of the total assessed amount.

There are five ways a penalty may be mitigated. Ecology may relinquish the penalty (this is often done when the party receiving the penalty is bankrupt), or Ecology may adjust the penalty amount due to information presented in the Application for Relief, or the agency may agree to a settlement. The Pollution Control Hearings Board (PCHB), may adjust a penalty based on the facts presented at a hearing. While the PCHB review is "de novo," no penalty has ever been increased by the board. In addition to reducing penalties, the board will often require that a certain amount be held in abeyance pending no further violations for a given time period. The final way the penalty may be mitigated is by a ruling from superior court.

Data for the past seven years shows that for appealed penalties the assessed amount is generally reduced by about one-third. (Please refer to Chart 4). The vast majority (74%), of penalty mitigation occurs through negotiated settlements. New information presented in Applications for Relief accounts for 12 percent of the mitigated amount, with relinquishments accounting for an additional 2 percent. In total, Ecology was directly involved in 88 percent of the mitigated amount. During this same seven year period, the PCHB reduced penalties by 8 percent. About half of this amount is for penalties which were held in abeyance. The Superior Court mitigated Ecology's penalties by an additional 4 percent. (Please refer to Chart 5).

The data shows that settlements play a major role in the mitigation of Ecology's penalties. The purpose of settlement will vary depending on the relative strength or weakness of each case. For example, a strong case

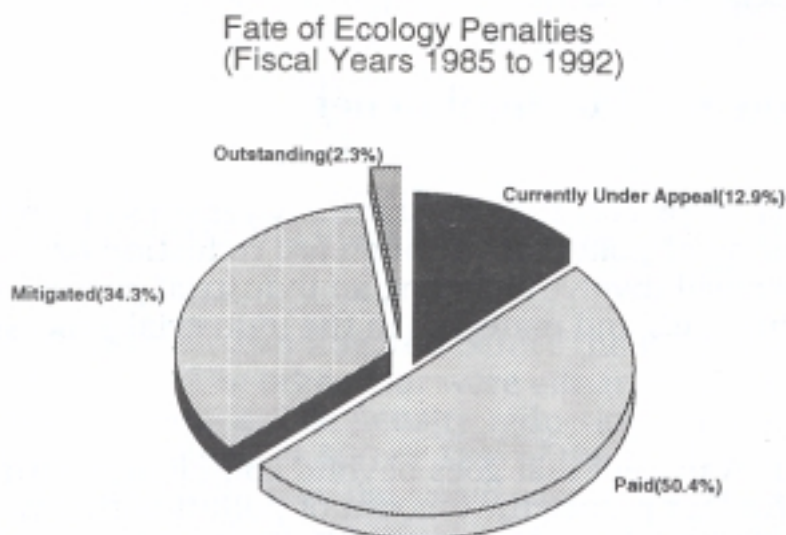


Chart 4

provides Ecology less incentive to settle because the chances of a favorable PCHB decision are good. For this reason, strong case settlements can be viewed as an alternative means of enforcement because Ecology can dictate, to a large extent, the environmental benefit that will flow from the settlement. Weak case settlements, on the other hand, often involve damage control. Ecology settles to avoid a bad PCHB decision and to make sure that the enforcement action results in some measurable benefit.

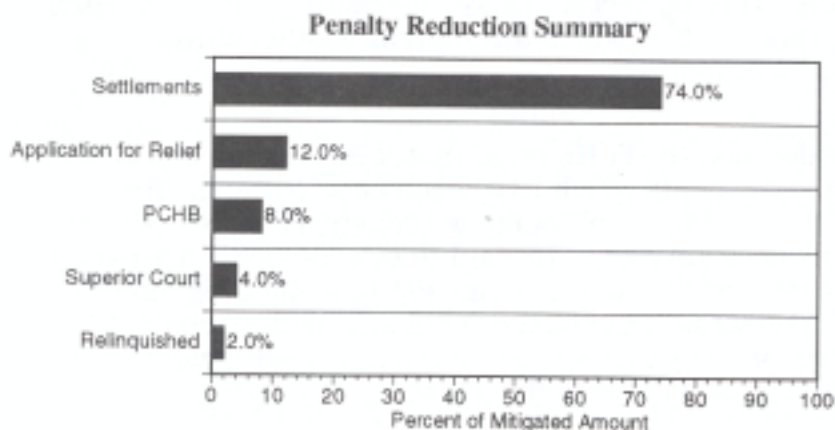


Chart 5

Strong case settlements should be innovative; conferring a direct environmental benefit. The common benefits of innovative settlements are listed below. Innovative settlements accounted for about half the penalty amount mitigated in fiscal year 92.

Innovative Settlement - Potential Benefits

1. *Pollution Prevention* : A project that substantially reduces or prevents the generation or creation of pollutants through use reduction or a closed loop process. This often will involve changing an industrial process and can include substituting fuels and materials in the industrial process to prevent pollution.
2. *Pollution Reduction* : A project that goes beyond compliance with discharge limitations to further reduce the amount of pollution that would otherwise be discharged into the environment. Examples include reducing the discharge of pollutants through more effective end-of-pipe or stack technologies. It can also include improved operation and maintenance or recycling residuals that would otherwise be discharged to the environment.
3. *Environmental Restoration* : A project that not only repairs the damage done to the environment because of the violation, but goes beyond repair to enhance the environment in the vicinity of the violating facility. An example would include a violator performing a spill cleanup and also undertaking or participating in a stream enhancement project.
4. *Public Awareness* : These projects include distributing environmental compliance information to the regulated community either through publications, newsletters, or seminars.

In a January 1992 decision the PCHB ruled that it has responsibility to uphold settlement agreements which have been entered by it. See *Dwight & Shirley Lewis v. San Juan County & Ecology*, PCHB No. 91-183 (1992). In the Lewis decision, the PCHB said that settlements are essentially contracts and are "like a final judgment in its binding effect" when entered by the Board. In Lewis, the PCHB affirmed a penalty based on a stipulated penalty provision contained in a settlement that resolved a previous appeal involving the parties.

PCHB Penalty Decision Summary - FY 1992

From June 30, 1991 through July 1, 1992, the Pollution Control Hearings Board (PCHB) issued seven Findings of Fact and Conclusions of Law (decisions) in cases involving appeals of Ecology imposed penalties. The total dollar amount under appeal in the seven cases was \$157,500. This amount represented four water quality penalty appeals totalling \$40,500, two dangerous waste appeals totalling \$116,000 and one shorelines appeal of \$1,000.

Three of the penalties litigated before the PCHB were upheld in full. The other four were either reduced or partially suspended. The penalty reductions in the four cases amounted to \$27,500 or 18% of the total dollar amount under appeal in the seven cases. The PCHB mentioned Ecology's failure to prove certain violations at hearing as the reason for the reductions. Penalty suspensions also totalled \$27,500. Penalty suspensions appear to be based on the violator's past history and whether some of the violations proven at hearing were minor in nature. The penalty suspensions are conditioned on no further violations for either a two or three-year period from the date of the PCHB decision.

The penalty amounts reduced or suspended by the PCHB totalled \$55,000 or 35% of the total dollar amount under appeal in the seven cases. This 35% reduction/suspension rate may be significant. At a minimum, it represents a shift in the way the PCHB has treated Ecology penalties in recent years. While some PCHB reduction of Ecology penalties has been fairly common historically, suspending portions of penalties based on future compliance appears to be a new trend. PCHB decisions that include penalty suspension conditions will require extra monitoring by Ecology. This should not create a problem. Ecology settlements typically include penalty suspension conditions that require monitoring.

Selected Case Examples

Air Program

L.E. Dillon

On December 30, 1991, Ecology imposed a \$4000 penalty against Mr. L.E. Dillon of East Wenatchee for burning PVC pipe and other plastic materials on two separate occasions during September and October of 1991, and creating a nuisance and health risk to neighboring property owners. Plastic is considered a "prohibited material" under the state Clean Air Act and may not be burned in an outdoor fire. The case was documented and referred to Ecology by the Douglas Co. Fire District No. 2. Complaints from the public alerted the Fire District about the illegal burning. Mr. Dillon was aware that burning "prohibited materials" is a violation of state law. Twice in the fall of 1989, Mr. Dillon received letters from the Fire District and the Douglas County Air Pollution Control Authority notifying him of this fact. The penalty was not appealed. Ecology has referred the case to a collection agency for action.

R.J. Mack Salvage

On March 6, 1992, Ecology penalized R.J. Mack Salvage, a Kennewick-based company, \$9500 for burning railroad ties, polyurethane foam insulation, and scrap metal at a Burlington Northern derailment site in eastern Washington in violation of state law. Railroad ties, polyurethane foam, and scrap metal are considered "prohibited materials" and may not be burned in an outdoor fire. The illegal burning was reported to Ecology on January 14th. During an investigation that same day, Ecology observed multiple fires at the derailment site, some of which were more than ten feet in diameter. Ecology also determined that illegal burning had occurred at the site on three previous occasions during the previous month. R.J. Mack had been notified about illegal burning at the same site four months earlier. The penalty was not appealed. R.J. Mack has agreed to pay the penalty according to a payment schedule provided by Ecology's fiscal office.

Ron Jewell

During April of 1992, Ecology learned that the owners of a private home in Colville set a building demolition fire to destroy the home. The owners allowed asphalt shingles to burn in the fire. Ecology imposed a \$2,500 penalty because asphalt shingles are considered a "prohibited material" and may not be burned in an outdoor fire. The penalty was neither appealed nor paid and will be referred to a collection agency for action.

Joe Sety, JR. V. Ecology, PCHB No. 92-111

On June 4, 1992 Ecology imposed a \$9500 penalty against Mr. Joe Sety as the person responsible for a tire fire that occurred near Chewelah Washington on February 7, 1992. The fire occurred at a vehicle tire storage and disposal facility operated by Mr. Sety. According to Ecology records, Mr. Sety failed to take steps to minimize the risk of fire at the facility. On the day of the fire, Eastern Washington was in the forecast stage of an air pollution episode. For this reason, the fire had a significant potential to degrade air quality in the Chewelah area. Tires are considered a "prohibited material" and may not be burned in an outdoor fire. The penalty was appealed to the PCHB and a hearing is pending.

Dale Vaughn

On June 15, 1992 Ecology issued a penalty Mr. Dale Vaughn for allowing asphalt roofing materials to burn in a building demolition fire in Colville on April 10, 1992. Mr. Vaughn had received verbal permission from the Colville Fire Department to set fire to the structure on the condition that prohibited materials not be allowed to burn in the fire. Ecology observed the fire and found that asphalt roofing material was being burned in violation of state air pollution laws. Asphalt roofing material is considered a "prohibited material" and may not be burned in an outdoor fire. The penalty was appealed but later paid in full.

Central Programs (Industrial Section)

Weyerhaeuser Company v Department of Ecology, PCHB Nos. 91-241 and 91-222

In response to odor complaints from local residents, Ecology conducted several inspections at Weyerhaeuser's Cosmopolis, Washington pulp and paper facility over a five month period beginning in May of 1991. Ecology's inspections determined that the odor was caused by the release of hydrogen sulfide and mercaptans resulting from Weyerhaeuser's dredging of sludges from its wastewater treatment ponds and depositing the sludges on a dredge spoils area.

On October 21, 1991, Ecology penalized Weyerhaeuser \$150,000 for allowing the generation of odor that unreasonably interfered with the right of others to use and enjoy their property and for not using recognized practices and procedures to reduce odors to a reasonable minimum. An administrative order requiring Weyerhaeuser to address the odor problem was also issued. Both the penalty and order were appealed and later settled.

Under the terms of the penalty settlement, Weyerhaeuser agreed to pay Ecology \$30,000 *and* provide approximately \$135,000 to benefit the environment and local community by: (1) purchasing and donating a hydrogen sulfide monitor for the local environmental health department; (2) donating money to one local hospital and two local fire departments for the purchase of emergency respiratory equipment; (3) donating money to purchase a computer system to operate disaster modeling software for the local emergency services agency; and (4) donating money to a local school district for environmental education. Weyerhaeuser agreed that payments and donations made under the settlement will not be treated as ordinary business expenses or charitable contributions for tax purposes. The order was settled when Weyerhaeuser agreed to reinstall aerators at the wastewater treatment ponds to prevent development of the odors and submit an operating and closure plan for the ponds.

Georgia Pacific Corporation v. Ecology, PCHB No. 92-82

In October of 1991, an employee at Georgia Pacific's sulfite mill in Bellingham deposited a pallet storing several containers of the chemical product calcium hypochlorite inside a garbage dumpster located within the mill. Calcium hypochlorite is used by Georgia Pacific in its sulfite mill operation. The dumpster was transported to a local waste transfer station for disposal. While at the transfer station, the calcium hypochlorite ignited, releasing chlorine gas and causing one worker to be hospitalized. When discarded or disposed, calcium hypochlorite becomes a dangerous waste subject to regulation. Ecology penalized Georgia Pacific \$110,000 for failing to properly manage and dispose of dangerous waste. The penalty was appealed and a hearing is pending.

Simpson Tacoma Kraft Co.

Records submitted to Ecology from Simpson Kraft Co. in Tacoma, indicated that Simpson exceeded the daily Biochemical Oxygen Demand (BOD) limitation contained in its National Pollutant Discharge Elimination System (NPDES) permit seven times during July, October and November of 1991. BOD exceedances in the effluent can negatively impact water quality by decreasing dissolved oxygen concentration in the receiving water. Ecology penalized Simpson \$60,000. The penalty was appealed but later settled. The settlement was innovative and designed to increase public understanding of urban watersheds and their relationship to waters of the Puget Sound. Under the terms of the settlement, Simpson: (1) Donated \$40,000 to the Snake Lake Nature Center Foundation for full funding of The Nature Lab, including interactive learning stations and related equipment; (2) donated \$18,000 to Tacoma School District No. 10, Mt. Tahoma High School Wapato Lake Project for curriculum development, transportation for field work, supplies and equipment for field and classroom study; and (3) paid Ecology \$2,000. Simpson agreed that the sums paid to the Snake Lake Nature Center Foundation and the Tacoma Public School District No. 10 will not be used as tax deductions and were not part of a previously planned gift.

ITT Rayonier - Port Angeles v. Ecology, PCHB Nos. 91-200, 91-247 and 92-64

On December 18, 1991, Ecology penalized the ITT Rayonier Port Angeles facility \$40,400 for nine separate air quality opacity violations. An administrative order was also issued. The violations were observed by Ecology and the Olympic Air Pollution Control Authority over a four month period beginning in late June of 1991. The penalty amount was calculated based on the recently amended Washington Clean Air Act which sets a maximum penalty of \$10,000 a day for each violation. The penalty was appealed to the PCHB and a hearing was held.

A motion was submitted prior to the hearing asking the PCHB to rule on whether Ecology had authority to base its opacity penalty on the \$10,000 statutory maximum. The PCHB ruled that although the Clean Air Act, as amended, set a higher maximum penalty amount for violations generally, it did not prevent Ecology from setting a lower maximum penalty for specific types of violations if it chose to. In this case, the opacity regulation that Ecology relied upon to determine the violations had been in effect for several years and set a \$400 maximum daily penalty.

The PCHB concluded that Ecology's failure to revise its opacity regulation to reflect the higher statutory maximums constituted an exercise of discretion to limit civil penalties for opacity violations to \$400 a day. ITT Rayonier agreed to pay the reduced penalty, so the parties did not litigate whether opacity violations did, in fact, occur. The parties did, however, litigate the Ecology order that set a 10 percent opacity limit for visual emissions from ITT Rayonier's recovery furnace. The PCHB ruling was favorable to Ecology. ITT Rayonier has appealed the decision to superior court.

Weyerhaeuser Company - Cosmopolis

During June of 1991, Weyerhaeuser's Cosmopolis paper mill exceeded its National Pollutant Discharge Elimination System (NPDES) permit limits for fecal coliform on four separate days. Ecology penalized Weyerhaeuser \$40,000. Weyerhaeuser paid the penalty in full.

Dangerous waste

Washington Chemical Inc. V. Ecology, PCHB Nos. 92-41 and 92-126

Washington Chemical Inc., a Spokane-based company that has a permit to treat, store, and dispose of dangerous waste was penalized \$429,000 during January of 1992 for several violations of the state dangerous waste regulations. Ecology later reduced the penalty to \$367,000 based on information submitted by Washington Chemical in response to the penalty action. The original penalty was imposed following an Ecology inspection revealing, among other things, that Washington Chemical: (1) Managed certain dangerous wastes that it was not authorized to manage under its permit; (2) failed to adequately designate certain solid wastes; (3) stored ignitable dangerous waste inside a warehouse in violation of a permit condition; (4) stored many drums without proper identification or adequate labels; (5) stored many drums with unsecured lids; (6) failed to notify Ecology of a hazardous waste spill; (7) had no record of inspections conducted relative to the storage of ignitable wastes; and (8) failed to maintain adequate aisle space in certain areas of the facility. The 1992 penalty was the fourth Ecology enforcement action take against Washington Chemical since 1988. The violations contained in the 1992 penalty (and companion order) are contested by Washington Chemical. A hearing has been scheduled for June of 1993.

Ershigs Lnc. v. Ecology, PCHB No. 92-65

On March 3, 1992, Ershigs Inc., a fiberglass reinforced plastics manufacturer located in Bellingham received a \$92,000 penalty for violating the state dangerous waste regulations. Several of the violations contained in the penalty (and companion order) address issues raised by Ecology on three previous inspections dating back to 1983. The March 1992 penalty was based on an inspection that occurred in August of 1991. Among the violations discovered during the inspection were: (1) "Air drying" acetone still bottoms which constitutes unpermitted disposal of dangerous waste; (2) failure to keep containers of dangerous waste closed when not on use; (3) an unpermitted discharge of styrene, a hazardous substance, to the soil near the waste accumulation yard; (4) failure to mark accumulation dates on containers of dangerous waste; and (5) failure to perform documented weekly inspections of dangerous waste accumulation areas. The penalty (and order) were appealed. The case is scheduled for hearing in January of 1993.

Allstar Aerospace Inc.

Allstar Aerospace Inc. (Allstar) was a Shelton-based company that manufactured components for the aerospace industry. On May 7, 1992 Ecology issued a \$81,000 penalty to Allstar based on dangerous waste and water quality violations identified during a February 1992 inspection. Ecology had inspected the company on six previous occasions dating back to 1981. Allstar's manufacturing process generated several dangerous wastes including spent solvents, paint waste, corrosive waste and contaminated rinse water. Some of the dangerous waste violations discovered during Ecology's February 1992 inspection included: (1) Failure to comply with treatment, storage and disposal standards for the disposal of dangerous waste to a surface impoundment; (2) failure to notify Ecology about the discharge of dangerous waste from the chemical treatment building; (3) disposing of dangerous waste without a permit; (4) failure to mark tanks containing dangerous waste with the words "dangerous waste"; and (5) failure to designate wastewater discharges from the chemical treat building. Shortly after the penalty was issued, the company filed for bankruptcy and no longer exists. Ecology is currently exploring different administrative options to address contamination at the site.

Johnson Mathey Electronics

On August 30, 1991, Ecology issued Johnson Mathey Electronics (Johnson), a Spokane-based company, a \$57,000 penalty for violating several state dangerous waste generator requirements. Johnson manufactures components for the electronics industry. In the course of production, it generates spent solvents, spent acid etches, spent plating baths, and spent cyanide solutions. The facility had been inspected by Ecology on several previous occasions while it was operated under different ownership. The penalty action was based on a two-day Ecology inspection conducted in May of 1991. Among the violations identified during the May 1991 inspection were: (1) Failure to designate solid waste generated in the manufacturing process; (2) failure to take dangerous waste to an authorized treatment, storage, and disposal facility; (3) failure to properly label containers with the words "dangerous waste"; and (4) failure to maintain adequate aisle space in dangerous waste accumulation areas. The penalty was not appealed and Johnson has paid the penalty in full.

First Cabin Marine

An Ecology inspection conducted during May of 1991 identified several dangerous waste generator violations at First Cabin Marine, a Port Townsend boat reconstruction and repair facility. In response to the inspection, Ecology issued a \$20,500 to First Cabin on January 16, 1992. Some of the violations identified during the inspection included: (1) Failure to obtain an EPA/State dangerous waste generator number; (2) storing the dangerous waste it generates for longer than 90 days without a permit; (3) failure to label and mark accumulation dates on drums containing dangerous waste; and (4) failure to keep containers of dangerous waste closed when not in use. The penalty (and companion order) were not appealed to the PCHB. Shortly after the penalty was imposed, First Cabin Marine filed for bankruptcy. Ecology has referred the matter to the Attorney General's Office for assistance.

Shorelands

Nichols Brothers Boat Builders Inc.

On September 9, 1991, Ecology acting jointly with Island County under the Shoreline Management Act, issued a \$10,000 penalty against Nichols Brothers Boatbuilders of Freeland, Washington. The penalty was issued when Ecology and Island County learned that during August of 1991, Nichols Brothers excavated a 15' deep pit approximately 100'x 50' in size within the tidelands in an effort to improve and expand its existing boat launch capacity. The excavation involved approximately 1850 cubic yards of substrate. No shoreline substantial development or conditional use permit was applied for or granted by Island County for this excavation/dredging project. The case was appealed to the Shorelines Hearing Board and later settled when Nichols Brothers agreed to restore the affected tideland and pay a reduced penalty of \$5,000. By mutual agreement, the penalty was paid to Island County and used for wetlands education and training.

William Lane

William Lane of Aberdeen was issued a \$10,000 penalty when he failed to comply with an earlier order issued by Ecology and Grays Harbor County. During a September 1991 inspection, Ecology and Grays Harbor County discovered that Lane had conducted clearcutting, road development and other substantial development activities within 200' of the Elk River in violation of the Shorelines Management Act. The Elk River is considered a shoreline of state-wide significance. On January 27, 1992, the original order and \$1000 penalty was issued requiring Lane to submit a plan within thirty (30) days explaining how he intended to restore the shoreline area affected by his logging activities. Lane failed to submit a plan. As a result, Ecology and Grays Harbor County then issued the follow-up order and \$10,000 penalty. The follow-up order required Lane to install erosion control measures and remove certain land clearing debris along the Elk River and to submit the restoration plan requested by the earlier order. The site has since been restored and the penalty waived.

Cory Yost v. Ecology & Spokane County, SHB No. 91-50

On August 14, 1991 Ecology imposed a \$5,000 penalty against a Spokane County homeowner who constructed two concrete pilings and a bulkhead 105' in length within the ordinary highwater mark of the Spokane River without first obtaining a shoreline permit. The Spokane River is a shoreline of statewide significance and the Yost's actions were contrary to the Spokane County Shoreline Master Program. The penalty also included an administrative order requiring the homeowner to restore the affected shoreline. Both the penalty and the order were appealed to the Shorelines Hearing Board. A hearing was scheduled for December 1992 but it was cancelled. The parties are currently exploring ways to resolve the matter.

Ferndale Ready Mix

On October 30, 1991, Ecology and the City of Ferndale issued a \$5000 penalty, to Ferndale Ready Mix for unlawfully filling a wetland with dirt and concrete debris. The company filled the wetland contrary to the applicable shoreline management Master Program and without first obtaining a permit or exemption under the Shoreline Management Act. The wetland is associated with Tenant Lake. An administrative order was also issued requiring the company to restore the affected area. Ferndale Ready Mix has appealed the order, but a hearing date has not yet been set.

Water Quality

Tri-Star Marine, Inc, v. Ecology PCHB No. 91-249

In June 1991, Ecology received an anonymous complaint that Tri-Star Marine, Inc., located on the Lake Washington Ship Canal in Seattle, was submerging its drydock without first removing sandblast grit from the drydock surface. Within two weeks, Ecology conducted an investigation and on-site inspection that confirmed Tri-Star was not cleaning sandblast grit from the drydock before submerging it. Ecology verbally warned Tri-Star's vice president that the drydock situation was unacceptable and that formal enforcement could result if the sandblast grit was not properly managed.

Two months later, the Puget Sound Keeper, a research vessel dedicated to monitoring water pollution on Puget Sound, was conducting a video tour in and around the Ship Canal for Cable News Network. During the tour, the captain of the SoundKeeper noticed a recently painted and ready to launch fishing vessel staged on the Tri-Star drydock. A Tri-Star employee was also observed shoveling sandblast grit from the side of the drydock to underneath the hull of the vessel. The employee told the captain that the vessel was scheduled for launch the next day.

Ecology was contacted by the captain and conducted an inspection the following day but the vessel had been launched before Ecology arrived. The drydock did, however, contain significant accumulations of wet sandblast grit. Samples of the grit were taken from the drydock and surface water. The samples were analyzed. Lab results confirmed that the discharge of sandblast grit to the Ship Canal violated water quality criteria for copper, lead, zinc, aluminum, barium, iron, manganese and titanium. Tri-Star had no previous formal enforcement history and was penalized \$8,000. The penalty was appealed to the Pollution Control Hearings Board where a hearing was held on September 30, 1992. The Board affirmed the penalty in full.

Kalama Chemical Inc. v. Ecology, PCHB No. 92-130

On January 31, 1992, Ecology issued Kalama Chemical, Inc. a \$158,500 penalty based on 91 violations (single and multiple) of its National Pollutant Discharge Elimination System (NPDES) permit. Kalama Chemical is an organic chemical manufacturing facility located in Kalama, Washington. Kalama Chemical discharges directly to the Columbia River and has received several NPDES-related Ecology enforcement actions since 1979. Kalama Chemical's recent discharge monitoring report indicated that the 91 violations occurred over a three-year period beginning in December 1989 and ending in May 1991. The violations included exceedances of the permit parameters for copper, ammonia, total suspended solids, biochemical oxygen demand, flow and temperature. Kalama Chemical submitted an Application For Relief From Penalty and Ecology reduced the penalty by \$4000. Kalama Chemical appealed the reduced penalty to the Pollution Control Hearings Board where a hearing is pending.

U.S. Oil and Refining Company

On January 6, 1990, a 16" pipeline located at U.S. Oil and Refining in Tacoma ruptured while it was being used to off-load Alaskan crude oil. The pipeline carries crude oil from U.S. Oil's marine off-loading facility to its land-based refinery. The rupture caused 600,000 gallons of crude oil to spill and pool-up on approximately two acres of public and private land. After "pooling up", the crude oil flowed into a storm drain that empties into the Lincoln Avenue ditch. The ditch discharges via a tide gate to the Blair Waterway in Commencement Bay. On December 2, 1991 Ecology penalized U.S. Oil \$45,000 for the spill. The penalty was based on \$5,000 a day for five days of discharging oil into the waters of the state and \$20,000 for negligence in failing to provide adequate security and surveillance on the 16" pipeline. The case was not appealed and U.S. Oil paid the penalty in full.

Lake Union Drydock Company v. Ecology, PCHB No. 92-70

On March 9, 1992 Ecology imposed a \$43,500 penalty against Lake Union Drydock, a Seattle-based company that repairs wooden vessels and U.S. Navy minesweepers. The penalty was imposed based on several National Pollutant Discharge Elimination System (NPDES) permit violations and on Ecology's determination that Lake Union Drydock discharged spent sandblast grit, oil-based paint and gray water to Lake Union in violation of state water quality laws. Lake Union Drydock received its current NPDES permit in 1990. Since that time, Ecology had warned the company on several occasions during site inspections about the need to comply with specific sections of its permit and to properly manage its spent sandblast grit, paint spray and gray water to prevent discharges to Lake Union. Lake Union Drydock contests the violations and has appealed the penalty to the PCHB. A hearing is scheduled for January 1993.

Texaco Refining & Marketing - Anacortes

On February 22, 1991, an oil spill occurred at Texaco's Puget Sound Plant at Anacortes. The spill occurred while the Anacortes refinery was receiving a delivery of Alaskan north slope crude oil from the vessel Exxon San Francisco. During off-loading, a refinery operator discovered a 30' geyser of oil shooting from the side of one of the crude oil booster pumps. The refinery operator took immediate steps to stop the flow by shutting down the ships cargo pumps as well as the refinery's crude oil booster pumps. An investigation indicated that the spill resulted from the catastrophic failure of a pump casing on one of the crude oil booster pumps. The failed pump is located on a pipeline that runs between the Texaco dock near the end of March Point and the Texaco refinery. The pump casing failure resulted in the release of 210,000 gallons of crude oil, of which at least 17,500 entered Fidalgo Bay. The discharge of oil to any water of the state is a violation of state water quality laws. Ecology penalized Texaco \$20,000. The case was not appealed and Texaco paid the penalty in full.

Water Resources

P & P Well Drilling

On April 4, 1992, Ecology issued a \$16,500 penalty to Patrick Woolley and Bryan Woolley, (dba P & P Well Drilling) of Port Orchard, and revoked their well driller's license for one year. P & P Well Drilling has a history of non-compliance. During the fall of 1990 a violation letter was issued warning P & P to submit start cards and well reports as required by state law. P & P's non-compliance continued. During October of 1991, P & P received a \$1,500 penalty based on seven violations including failure to submit start cards and well reports. Ecology warned P & P that continued non-compliance would result in further penalties and license revocation. P & P never paid the October 1991 penalty and continued to violate the notification requirements for well drillers. As a result, Ecology imposed the \$16,500 penalty and revoked P & P's license. The penalty was neither appealed nor paid and will be referred to a collection agency for action.

James Carman

James Carman, an Idaho-based well contractor, was penalized \$7,800 on October 21, 1991 for failing to comply with an Ecology order to "abandon" a well. The case arose after Ecology was contacted by a Kittitas County homeowner who had hired Mr. Carman during December of 1989 to install a domestic well. Based on concerns expressed by the homeowner, Ecology conducted an investigation and found that the well was not properly sealed. Ecology issued an order to Mr. Carman during April of 1990 requiring him to abandon the well. The Order was appealed to the Pollution Control Hearings Board where it was upheld in January of 1991. Ten months later, Mr. Carman had yet to abandon the well. In response, Ecology issued the penalty and revoked Mr. Carman's well drillers license. The penalty was neither appealed nor paid and will be referred to a collection agency for action.

Atlas Drilling and Exploration

Mr. James Carman's well construction activities implicated Atlas Drilling, an Idaho-based company. Ecology determined that Mr. Carman was associated with Atlas Drilling and used its' equipment to construct the well that Carman had been ordered to abandon. Ecology considered Atlas Drilling and Mr. Carman jointly responsible for the problems with the well construction at the Kittitas County site. For this reason, Ecology also issued Atlas Drilling an order requiring it to abandon the well constructed by Mr. Carman. The Order was appealed to the Pollution Control Hearings Board where it was consolidated with Mr. Carman's appeal. In January of 1991, a hearing was held and the Board affirmed Ecology's order against Atlas Drilling. During this period, Atlas Drilling was sued by the property owners who paid to have the well drilled. Ten months later, the well had yet to be abandoned. On October 21, 1991 Ecology penalized Atlas Drilling \$7,800 for failing to abandon the well. Atlas submitted an Application For Relief From Penalty and indicated that a settlement agreement had been reached in the civil lawsuit and the well would be properly abandoned as required by Ecology's order. Based on these assurances, Ecology cancelled the penalty against Atlas Drilling.

Zent Drilling

During May 1992, Marlin Zent of Zent Drilling, Inc., a Vancouver Washington based company, was penalized \$3,900 by Ecology for thirty-five violations arising out of its well construction activities. All but one of the violations concerned timely notification. According to Ecology records, Mr. Zent failed to provide timely start cards and/or well reports for 127 out of 128 wells from January 1989 to March 1992. The penalty alleges that on seventeen occasions, Mr. Zent failed to submit start cards 72 hours before commencing work and also failed to submit well reports within thirty days of finishing certain well construction projects. Ecology had warned Mr. Zent about timely notification on previous occasions by various letters and orders. Mr. Zent's remaining violation concerned failure to construct a permanent well seal at a minimum depth below ground level. The penalty was appealed and a hearing is pending.

3D Tank and Petroleum Equipment Co., Inc.

On February 26, 1992, 3D Tank and Petroleum Equipment Co., Inc. (3D Tank) of Oregon was penalized \$1,500 for drilling three wells without a license. The wells were constructed to monitor contamination at an underground storage tank removal site in Walla Walla County. The wells lacked surface seals and were not constructed according to state guidelines. 3D Tank also failed to notify Ecology before drilling began and after drilling was completed. The penalty was not appealed. The penalty will be referred to a collection agency for action.

Criminal Enforcement

Many of the statutes Ecology implements contain criminal sanctions. Criminal prosecution can be recommended in certain cases involving willful or intentional violations. Imposition of criminal fines, incarceration and probation all serve as strong deterrents. The criminal enforcement program operates under the assumption that when environmental laws are violated in a criminal manner, the violator should be prosecuted through the criminal courts.

Investigations of possible criminal violations are conducted by the joint Ecology/EPA Criminal Investigations Task Force. The Task Force is an example of Ecology and EPA working together to achieve the goal of compliance with environmental laws. While the number of criminal cases pursued in any one fiscal year is relatively small, the penalties imposed and associated jail time are significant deterrents.

Criminal Enforcement Summary - FY 91&92		
	Fiscal Year 91	Fiscal Year 92
Complaints /Referrals Received	225	133
Cases Retained for Criminal Investigation	11	12
Criminal Warrants Served	3	6
Cases Referred for Criminal Prosecution (Number of Cases)	4	10
Criminal Charges Filed (Number of Defendants)	10	8
Criminal Convictions (Number of Defendants)	5	10
Total Penalties Collected	\$554,300	\$548,453

Case Summaries

Everett Steel Company (Panama Machinery and Equipment, Inc.)

Three Everett businessmen were sentenced to a year in prison and their company - (Everett Steel) agreed to pay a fine of \$533,453 for dumping hundreds of drums of hazardous paint waste in southwest Washington and Oregon. The judge for the case stated that the three businessmen had led exemplary lives - other than their environmental crime. But, due to the potential for very serious consequences and to deter others it was "the courts' duty to make plain that environmental crimes of this nature are serious." In the plea agreement all three pled guilty to conspiring to illegally dump more than 17,000 gallons of hazardous paint waste. The three businessmen - Manney Berman and his sons Leonard and Leon, contended that they were duped by the contractors they hired to dispose of the waste. The government maintained that the Bermans were aware of their obligation to properly dispose of the hazardous waste generated by their company, but they turned a blind eye to the unrealistically low rates they were quoted by unqualified contractors for disposal of the waste. The men who actually dumped and hauled the waste were prosecuted separately. (SEE BELOW)

T. Lingle, D. Rieman, and M. Long

The three men who actually hauled and disposed of the waste from the Everett Steel Company, were sentenced in federal court in August 1992. T. Lingle and D. Rieman were both sentenced to two months in prison and four months in a work release center. Both were also fined \$2,000. M. Long, who was unemployed and ineligible for the work release program, was sentenced to six months in prison and fined \$2,000. The judge for this case stated "What has occurred here is a very serious violation of the environmental laws."

**Corporate Official and Employee of Northwest Etch Technology, Inc.,
Indicted by Grand Jury**

Northwest Etch Technology, Inc., a company located in Tacoma, is in the business of producing thin metal parts from sheets of stainless steel, copper and aluminum through an etching process utilizing acids. The indictment charges that Carl Whinery, the company president, and Samuel Emery, the head of waste water treatment for the company, conspired to commit violations of the Federal Clean Water Act. It is believed that the conspiracy took place over an eleven-month period, and that employees were ordered to discharge waste waters, containing heavy metals such as copper, which were generated during the company's chemical etching process into a storm drain which drained into Commencement Bay.

The indictment charges the company and the two individuals with eleven counts of violating the Federal Clean Water Act. The indictment also charges the company president, Carl Whinery with making a false statement concerning environmental compliance in documents supplied to the Small Business Administration in order to obtain a guarantee for a loan.

An indictment is an accusation and the defendants are presumed innocent until and unless proven guilty.

The State-EPA Relationship

Most federal environmental programs were designed by Congress to be administered at the state (and sometimes local) level. Programs delegated to Ecology include; water quality, air quality, and hazardous waste. For these delegated programs, EPA remains ultimately responsible for ensuring progress is made in meeting the national environmental goals of the program.

EPA has stated: "Strong state enforcement is an essential component to achieve environmental compliance. EPA may use federal enforcement authority when the state asks, when the state lacks the appropriate authority, or when state priorities conflict directly with EPA priorities." To be effective both agencies need to work in a coordinated manner.

In fiscal year 1992, EPA and Ecology signed two major agreements which will improve the environmental benefit of their enforcement actions. One of the agreements provides guidelines which will be used when Ecology and EPA work together on multimedia inspections. The other agreement supplements existing compliance assurance agreements for the agencies. Both agencies have made a commitment to work together to assure that enforcement actions result in maximum environmental benefit.

Appendix A

Summary of Major Laws Enforcement Options Table

Below is a brief description of the laws that provide the basis for the majority of Ecology's enforcement actions.

The Washington Clean Air Act, Chapter 70.94 RCW

The Washington Clean Air Act was adopted in 1967 and recently amended in 1991. Implementation of the Act requires Ecology coordination with EPA and local air pollution control authorities. EPA coordination is necessary because EPA approves State Implementation Plans (SIP's) which demonstrate how a particular state intends to attain and/or maintain national ambient air quality standards. Ecology regulates air pollution in coordination with local air authorities located throughout the state. Ecology has exclusive jurisdiction to regulate certain industrial sources such as kraft and sulfite pulp mills and primary aluminum plants. Ecology also regulates vehicle exhaust. Local air authorities are primarily responsible for regulating other forms of air pollution. Civil penalties up to \$10,000 a day for each violation are authorized under Chapter 70.94 RCW. The Act also includes criminal sanctions.

The Washington Hazardous Waste Management Act Chapter 70.105 RCW

The Hazardous Waste Management Act was passed in 1976. The statute authorizes Ecology to create a "cradle to grave" program to regulate the transportation, generation and treatment, storage and disposal of dangerous waste. The regulations that implement the Hazardous Waste Management Act, (Ch. 173-303 WAC), are similar to, but more stringent than federal regulations that implement the Resource Conservation and Recovery Act (RCRA). As a result, Washington is an "authorized state" meaning that Ecology can operate its dangerous waste program in lieu of RCRA. EPA does retain independent authority to enforce its own RCRA regulations. The Hazardous Waste Management Act authorizes civil penalties of \$10,000 a day for each violation. The Act also includes criminal sanctions.

The Shorelines Management Act, Chapter 90.58 RCW

The Shorelines Management Act was enacted in 1971 to preserve, protect, and manage development and uses of the state's shorelines. The regulatory scheme of the Shorelines Management Act operates primarily through a local government master program which is both a local ordinance and a state rule adopted by Ecology. The master program governs the development of shorelines. All development must be consistent with both the master program and the Shorelines Management Act and its regulations. A permit is required for any "substantial development" within a shoreline. Permits are issued by local government and reviewed by Ecology. Although Ecology reviews all permits, only conditional use

and variance permits must be approved by Ecology. The Shorelines Management Act authorizes civil penalties of \$1,000 a day for each violation.

The Water Pollution Control Act, Chapter 90.48 RCW

First passed in 1945, the Water Pollution Control Act makes it unlawful to discharge or allow the discharge of matter into the waters of the state that will cause or tend to cause pollution. Washington's water pollution program is approved by EPA. This means that Ecology can issue National Pollutant Discharge Elimination System (NPDES) permits to industries and municipalities to regulate the amount of pollution being discharged to surface waters of the state. In addition to NPDES permits, Ecology also regulates water quality through the state waste discharge program, the use of administrative orders and by seeking injunctive relief in superior court. The Water Pollution Control Act authorizes civil penalties up to \$10,000 a day for each violation. The Act also includes criminal sanctions.

The Water Well Construction Act, Chapter 18.104 RCW

The Water Well Construction Act was passed in 1971. The Act provides for the regulation and licensing of water well contractors and operators and for the regulation of water well construction. The Act authorizes civil penalties of \$100 a day for violations. The Act also includes criminal misdemeanor sanctions.

The Model Toxics Control Act, Chapter 70.105D RCW

The Model Toxics Control Act (MTCA) was passed by citizens initiative (Initiative 97) in November, 1988. MTCA is patterned after the federal Comprehensive Response, Compensation, and Liability Act (CERCLA or Superfund). The purpose of both these statutes is to address the risk posed by the release of hazardous substances to the environment. MTCA creates a strict and joint liability scheme. In other words, people who are liable under the Act are liable without regard to fault. Compliance with MTCA is achieved by the use of unilateral orders, consent orders or consent decrees. A liable person who refuses, without sufficient cause, to comply with a MTCA order can be liable for up to three times the amount of any costs incurred by the state as a result of the party's refusal to comply. The person can also be penalized up to twenty-five thousand dollars for each day they refuse to comply. There is no pre-enforcement review. Liable persons who incur costs complying with a MTCA order can petition Ecology for reimbursement of those costs. If Ecology refuses to grant reimbursement, the person can file suit and recover costs by proving that he or she was not a liable person under the Act and that the costs incurred were reasonable.

Ecologys' Major Enforcement Options

PROGRAM	NOV	CIVIL PENALTY	AFR	ORDER	APPEAL RIGHTS	INJUNCTIVE RELIEF	CRIMINAL SANCTIONS	CONSENT DECREES	SUBPOENA POWER	OTHER POWERS
DANGEROUS WASTE CH 70.105 RCW, CH 173-303 WAC	NO	YES 70.105.080 (up to \$10,000 a day for each violation)	YES 43.21B.300(1)	YES 70.105.095	70.105.080(2) 43.21B.300 (PENALTY) 43.21B.310 (ORDER)	YES 70.105.120	YES 70.105.085 (class B or C felony) 70.105.090 (gross misdemeanor)	Not specifically mentioned in this act	NO	Suspend or revoke permits for other noncompliance RCW 70.105.095(2)
CLEANUP CH 70.105D RCW, CH 173-340 WAC	NO	YES 70.105D.050(1)(b) (up to \$25,000 a day)	NO	YES 70.105D.050	70.105D.060	YES 70.105D.050(a)	NO	YES 70.105D.040(4)(b)	YES 70.105D.030(1)(a)	
AIR CH 70.94 RCW	YES 70.94.332	YES 70.94.431 (up to \$10,000 a day for each violation)	YES 43.21B.300(1)	YES 70.94.331 70.94.332	RCW 43.21B.300 (PENALTY) RCW 43.21B.310 (ORDERS)	YES RCW 70.94.425	YES RCW 70.94.430	Not specifically mentioned in the act	YES 70.94.142	Violator appearance requirement RCW 70.94.332; Assurance of discontinuance RCW 70.94.435 Variance RCW
WATER QUALITY CH 90.48 RCW	YES 90.48.120	YES 90.48.144 (up to \$10,000 a day for each violation)	YES 43.21B.300(1)	YES 90.48.120(1) & (2) 90.48.240	90.48.144(3) 43.21B.300 (PENALTY) 43.21B.310 (ORDER)	YES 90.48.037	YES 90.48.140 (act does not classify offense)	Not specifically mentioned in the act	YES 90.48.095	Natural Resource Damage Assessment RCW 90.48.142 Suspend/Revoke Permits
SHORELINES CH 90.58 RCW	NO	YES 90.58.210(2) (up to \$1,000 per day per violation)	YES 90.58.210(4)	YES 90.58.210(3)	90.58.210(4) (PENALTY) ORDERS -1 Ask the AAG	YES 90.58.210(1)	YES 90.58.220 (gross misdemeanor)	Not specifically mentioned in the act	NO	Rescind permits RCW 90.58.140(6); Liability for public/private property damage RCW 90.58.230
OIL SPILLS CH 90.56 RCW (All CH 90.48 RCW Enforcement Authority Applies)	Yes 90.48.120	YES 90.56.330 90.56.270(1) (up to \$100,000 per day per violation)	YES 43.21B.300(1)	YES 90.56.270 (not subject to PCHB review) 90.48.120, 90.48.240 (Subject to PCHB review)	43.21B.300 (PENALTY) *ORDERS reviewed in superior court under 90.56.270, ORDERS imposed under 90.48 provisions appealed under 43.21B.310	YES 90.56.270 90.48.037	YES 90.56.300 (Gross misdemeanor or class C felony) 90.48.140	Not specifically mentioned in the act	NO	Liability for cleanup expenses RCW 90.56.380; Liability for removal costs RCW 90.56.390
UST CH 90.76 RCW	NO	YES 90.76.080 (up to \$5,000 per day)	YES 43.21B.300(1)	YES 90.76.070	43.21B.300 (PENALTY) 43.21B.310 (ORDER)	YES 90.76.070	NO	Not specifically mentioned in the act	YES 90.76.060(1)	
SOLID WASTE CH 70.95 RCW	NO	YES 70.95.500 (\$200 - \$2,000 limited authority)	NO	NO	70.95.185(2) Ecology can appeal the issuance of permits by local governments	Not specifically mentioned in the act	YES 70.95.560 (Gross misdemeanor) 70.95.240 (Misdemeanor)	Not specifically mentioned in the act	NO	
WATER WELL CONSTRUCTION ACT CH 18.104 RCW	NO	YES 18.104.155 (up to \$100 per day)	YES 43.21B.300(1)	YES 18.104.060	43.21B.300 (PENALTY) 43.21B.310 (ORDER and License matters)	See 18.104.170 Refer to AAG	YES 18.104.160 (Misdemeanor)	Not specifically mentioned in the act	NO	Field citations RCW 18.104.155; Suspension or revocation of license RCW 18.104.110
WATER RIGHTS CH 90.03 RCW	NO	YES 90.03.600 (up to \$100 a day per violation)	YES 43.21B.300(1)	YES see 43.27A.190	43.21B.300 (PENALTY) 43.21B.310 (ORDER)	Not specifically mentioned in the act - ask the AAG	YES 90.03.400 90.03.410 90.03.420	Not specifically mentioned in the act	NO	Field citations RCW 90.03.600

Appendix B

Print out of 1992 Fiscal Year Enforcement Actions

PROGRAM	ORGANIZATION	LOCATION	DOCKET NUMBER	ISSUE DATE	TYPE ACTION	AMOUNT ASSESSED
AQ	SEUBERT EXCAVATORS INC	SAINT JOHN	91-E114	7/1/91	P	\$500
AQ	TOUCHET VALLEY GOLF COURSE	DAYTON	91-E115	7/1/91	P	\$500
AQ	MILLS JIM	DAYTON	91-E116	7/1/91	P	\$100
AQ	COLUMBIA NAVIGATION INC	KETTLE FALLS	91-E113	7/1/91	N	
AQ	TOMMER CONSTRUCTION	ALMIRA	91-E117	7/2/91	N	
AQ	CHEWELAH ASPHALT	CHEWELAH	91-E118	7/2/91	N	
AQ	VAAGAN ASPHALT AND PAVING INC	COLVILLE	91-E119	7/2/91	N	
AQ	BURTIS E	FAIRVIEW CANYON	91AQ-C318	8/22/91	N	
AQ	QUALITY CONCRETE	WENATCHEE	91AQ-C319	8/22/91	N	
AQ	NORTHWEST PAVING AND CONST	OMAK	91AQ-C320	8/22/91	N	
AQ	TOMMER CONSTRUCTION CO	EPHRATA	91AQ-E124	8/23/91	P	\$200
AQ	CHEWELAH ASPHALT	CHEWELAH	91AQ-E128	8/23/91	P	\$1,500
AQ	VAAGEN BROS LUMBER CO	COLVILLE	91AQ-E125	8/27/91	N	
AQ	L BAR PRODUCTS INC	CHEWELAH	91AQ-E126	8/27/91	N	
AQ	FERRY CO PUB WORKS DEPT	REPUBLIC	91AQ-E127	8/27/91	N	
AQ	HOVDE CO	WENATCHEE	91AQ-C323	9/3/91	N	
AQ	PONDERAY NEWSPRINT CO	USK	91AQ-E120	9/18/91	N	
AQ	STOTTS CONSTRUCTION INC	TORBOY	91AQ-E129	10/9/91	N	
AQ	PORTER BRENT	ELLENSBURG	91AQ-C339	10/25/91	N	
AQ	DILLON L E	WENATCHEE	91AQ-C340	10/25/91	N	
AQ	GALLAGHER ROBERT	TONASKET	91AQ-C441	10/25/91	N	
AQ	SHEER TOM	COLFAX	91AQ-E131	11/8/91	N	
AQ	FERRY CO PUB WORKS DEPT	REPUBLIC	91AQ-E130	11/12/91	P	\$500
AQ	SUN HARVEST INC	OTHELLO	91AQ-E132	12/13/91	N	
AQ	STOTTS CONSTRUCTION INC	CURLEW	91AQ-E134	12/23/91	N	
AQ	SHAWNEE ROCK INC	PULLMAN	91AQ-E135	12/23/91	N	
AQ	DILLON L E	EAST WENATCHEE	91AQ-C451	12/30/91	P	\$4,000
AQ	PORTER BRENT	ELLENSBURG	91AQ-C452	12/30/91	P	\$2,000
AQ	VETERINARY MEDICAL CLINIC	OTHELLO	92AQ-E101	1/14/92	N	
AQ	VETERINARY MEDICAL CLINIC	OTHELLO	92AQ-E101	1/14/92	O	
AQ	R J MACK SALVAGE	KENNEWICK	92AQ-E102	1/21/92	N	
AQ	STOTTS CONSTRUCTION INC	REPUBLIC	92AQ-E103	1/24/92	P	\$500
AQ	WENATCHEE SAND AND GRAVEL	MOSES LAKE	92AQ-E104	2/3/92	N	
AQ	SUMMERS ROBERT	CHEWELAH	92AQ-E105	2/14/92	N	
AQ	R J MACK SALVAGE	SPRAGUE	92AQ-E106	3/6/92	P	\$9,500
AQ	WEILEP ROBERT	NORTHPORT	92AQ-E107	4/1/92	N	
AQ	RANDYS RECYCLING	OKANOGAN	92AQ-C114	4/6/92	N	
AQ	JEWELL RON	COLVILLE	92AQ-E111	4/17/92	N	
AQ	FARMERS INSURANCE	COLVILLE	92AQ-E114	4/29/92	N	
AQ	ELDRIDGE GEORGE	GARFIELD	92AQ-E113	4/29/92	N	
AQ	WEILEP ROBERT	NORTHPORT	92AQ-E107	5/14/92	P	\$2,000
AQ	ELLENSBURG CEMENT PRODUCTS	ELLENSBURG	92AQ-C325	5/26/92	N	
AQ	LANE MOUNTAIN SILICA	VALLEY	92AQ-E120	5/29/92	N	
AQ	JEWELL RON	COLVILLE	92AQ-E124	6/2/92	P	\$2,500
AQ	SETY JOE	CHEWELAH	92AQ-E121	6/4/92	P	\$9,500
AQ	DEATLEY CO	REPUBLIC	92AQ-E125	6/4/92	N	
AQ	FARMERS INSURANCE	COLVILLE	92AQ-E114	6/15/92	P	\$2,500
AQ	ELDRIDGE GEORGE	GARFIELD	92AQ-E113	6/15/92	P	\$500
CP	WEYERHAEUSER CO	EVERETT	91-IK060	7/11/91	P	\$4,800
CP	WEYERHAEUSER CO	EVERETT	91-I063	7/12/91	O	
CP	REYNOLDS METALS CO	LONGVIEW	91/I065	7/15/91	P	\$400
CP	WEYERHAEUSER CO	COSMOPOLIS	91-I058	7/18/91	P	\$1,200
CP	COLUMBIA ALUMINUM CORP	GOLDENDALE	91-I066	7/18/91	P	\$2,000
CP	ITT RAYONIER INC	PORT ANGELES	91AQ-I070	7/19/91	P	\$5,600
CP	WEYERHAEUSER CO	COSMOPOLIS	91-K071	7/19/91	O	
CP	ITT RAYONIER INC	PORT ANGELES	91AQ-I069	7/19/91	O	
CP	WEYERHAEUSER CO	LONGVIEW	91AQ-I073	7/21/91	P	\$9,800
CP	WEYERHAEUSER CO	LONGVIEW	91AQ-I072	7/21/91	O	
CP	WEYERHAEUSER CO	COSMOPOLIS	91-I067	7/24/91	P	\$40,000
CP	WEYERHAEUSER	EVERETT	91-I068	7/29/91	P	\$1,000
CP	LONGVIEW FIBRE CO	LONGVIEW	91AQ-I078	8/2/91	P	\$4,600
CP	LONGVIEW FIBRE CO	LONGVIEW	91WQ-I075	8/2/91	P	\$4,500
CP	LONGVIEW FIBRE CO	LONGVIEW	91WQ-I076	8/2/91	P	\$1,500
CP	PORT TOWNSEND PAPER CORP	PORT TOWNSEND	91WQ-I077	8/2/91	P	\$10,000

PROGRAM	ORGANIZATION	LOCATION	DOCKET NUMBER	ISSUE DATE	TYPE ACTION	AMOUNT ASSESSED
CP	ITT RAYONIER INC	HOQUIAM	91WQ-I080	8/3/91	P	\$1,000
CP	TRANS CHEM NW	SUMNER	91-S213	8/15/91	P	\$2,000
CP	PORT TOWNSEND PAPER CORP	PORT TOWNSEND	91AQ-I086	8/23/91	P	\$6,000
CP	PORT TOWNSEND PAPER CORP	PORT TOWNSEND	91AQ-I087	8/23/91	P	\$1,000
CP	WEYERHAEUSER CO	LONGVIEW	91AQ-I088	8/23/91	P	\$3,200
CP	LONGVIEW FIBRE CO	LONGVIEW	91AQ-I081	8/27/91	P	\$5,200
CP	ARROW TRANSPORTATION CO	KELSO	91-S243	9/4/91	O	
CP	TEXACO REFINING AND MARKETING	ANACORTES	91WQ-173	9/11/91	O	
CP	US OIL AND REFINING CO	TACOMA	91WQ-I173	9/11/91	O	
CP	DAISHOWA AMERICA LTD INC	PORT ANGELES	91WQ-I094	9/13/91	P	\$500
CP	WEYERHAEUSER CO	COSMOPOLIS	91AQ-I096	9/13/91	N	
CP	WEYERHAEUSER CO	COSMOPOLIS	91AQ-I097	9/13/91	O	
CP	INTALCO ALUMINUM CORP	FERNDALE	91WQ-I098	9/23/91	P	\$1,000
CP	UNOCAL CORP	PORT ANGELES	91CP-181	10/8/91	P	\$1,000
CP	WEYERHAEUSER CO	LONGVIEW	91TC-I102	10/8/91	O	
CP	ITT RAYONIER INC	PORT ANGELES	92WQ-I106	10/9/91	P	\$500
CP	KAISER ALUMINUM AND CHEMICAL	MEAD	91HS-I103	10/11/91	P	\$6,000
CP	WEYERHAEUSER CO	COSMOPOLIS	91AQ-I112	10/21/91	P	\$150,000
CP	PORT TOWNSEND PAPER CORP	PORT TOWNSEND	91WQ-I083	10/21/91	P	\$10,000
CP	BOISE CASCADE	WALLULA	91WQ-I090	10/21/91	P	\$1,000
CP	REYNOLDS METALS CO	LONGVIEW	91WQ-I110	10/21/91	P	\$4,000
CP	PORT TOWNSEND PAPER CORP	PORT TOWNSEND	91WQ-I084	10/21/91	N	
CP	SCOTT PAPER CO	EVERETT	91WQ-I093	10/23/91	P	\$10,000
CP	NORTHWEST ALLOYS INC	ADDY	91HS-I108	10/23/91	O	
CP	LONGVIEW FIBRE CO	LONGVIEW	91WQ-I104	10/24/91	P	\$9,000
CP	LONGVIEW FIBRE CO	LONGVIEW	91WQ-I105	10/24/91	O	
CP	PORT TOWNSEND PAPER CORP	PORT TOWNSEND	91WQ-I111	10/28/91	P	\$10,000
CP	PORT TOWNSEND PAPER CORP	PORT TOWNSEND	91WQ-I095	10/30/91	P	\$20,000
CP	ITT RAYONIER INC	PORT ANGELES	91AQ-I100	10/30/91	O	
CP	NORTHWEST ALLOYS INC	ADDY	91HS-I114	11/12/91	P	\$9,000
CP	SIMPSON TACOMA KRAFT CO	TAACOMA	91HS-I115	11/15/91	P	\$4,000
CP	PORT TOWNSEND PAPER CORP	PORT TOWNSEND	91AQ-I101	11/27/91	P	\$3,000
CP	GEORGIA PACIFIC CORP	BELLINGHAM	91WQ-I118	11/27/91	P	\$250
CP	WEYERHAEUSER CO	COSMOPOLIS	91WQ-I120	12/10/91	P	\$10,000
CP	GEORGIA PACIFIC CORP	BELLINGHAM	91WQ-I121	12/10/91	P	\$750
CP	KAISER ALUMINUM AND CHEMICAL	TACOMA	91HS-I116	12/17/91	P	\$14,000
CP	ITT RAYONIER INC	PORT ANGELES	91AQ-I119	12/18/91	P	\$40,400
CP	KAISER ALUMINUM AND CHEMICAL	MEAD	91HS-I126	12/18/91	P	\$31,000
CP	WEYERHAEUSER CO	EVERETT	91AQ-I124	12/23/91	P	\$4,800
CP	COLUMBIA ALUMINUM CORP	GOLDENDALE	91WQ-I129	1/2/92	P	\$4,000
CP	SIMPSON TACOMA KRAFT CO	TACOMA	91WQ-I122	1/6/92	P	\$60,000
CP	SCOTT PAPER CO	EVERETT	92WQ-I002	1/6/92	P	\$1,000
CP	ITT RAYONIER INC	PORT ANGELES	92WQ-I003	1/6/92	P	\$1,000
CP	SIMPSON TACOMA KRAFT CO	TACOMA	91WQ-I123	1/6/92	N	
CP	SIMPSON TACOMA KRAFT CO	TACOMA	92WQ-I123	1/6/92	N	
CP	BOISE CASCADE	WALLULA	92AQ-I001	1/792	P	\$5,000
CP	DAISHOWA AMERICA LTD INC	PORT ANGELES	92WQ-I017	1/17/92	P	\$1,500
CP	PFIZER SPECIALTY MINERALS INC	LONGVIEW	92WQ-I006	1/17/92	N	
CP	KAISER ALUMINUM AND CHEMICAL	TACOMA	92AQ-I022	1/24/92	O	
CP	SCOTT PAPER CO	EVERETT	92AQ-I023	1/24/92	O	
CP	SIMPSON TACOMA KRAFT CO	TACOMA	92AQ-I128	1/24/92	O	
CP	DAISHOWA AMERICA LTD INC	PORT ANGELES	92WQ-I021	1/27/92	P	\$1,000
CP	KAISER ALUMINUM AND CHEMICAL	TACOMA	92AQ-I024	1/30/92	P	\$7,750
CP	ALASKAN NORTHSTAR ENTERPRISES	TACOMA	91CP-S281	2/3/92	P	\$7,500
CP	WEYERHAEUSER CO	LONGVIEW	92HS-I019	2/5/92	P	\$6,000
CP	ITT RAYONIER INC	PORT ANGELES	92TC-I029	2/10/92	O	
CP	COLUMBIA ALUMINUM CORP	GOLDENDALE	92AQ-I027	2/14/92	P	\$1,000
CP	PER4M USA INC	KELSO	92CP-S109	2/24/92	O	
CP	WEYERHAEUSER CO	EVERETT	92AQ-I032	2/25/92	P	\$3,500
CP	WEYERHAEUSER CO	EVERETT	92WQ-I031	2/25/92	P	\$3,000
CP	ITT RAYONIER INC	PORT ANGELES	92AQ-I040	3/3/92	P	\$10,000
CP	COLUMBIA ALUMINUM CORP	GOLDENDALE	92AQ-I042	3/6/92	P	\$1,000
CP	DAISHOWA AMERICA LTD INC	PORT ANGELES	92WQ-I034	3/27/92	P	\$3,000
CP	PORT TOWNSEND PAPER CORP	PORT TOWNSEND	92WQ-I041	3/27/92	FO	
CP	LONGVIEW FIBRE CO	LONGVIEW	92WQ-I028	3/30/92	P	\$8,000
CP	REYNOLDS METALS CO	LONGVIEW	92WQ-I046	3/30/92	P	\$9,000

PROGRAM	ORGANIZATION	LOCATION	DOCKET NUMBER	ISSUE DATE	TYPE ACTION	AMOUNT ASSESSED
CP	ALUMINUM CO OF AMERICA	VANCOUVER	92WQ-I049	4/6/92	P	\$1,000
CP	GEORGIA PACIFIC CORP	BELLINGHAM	92HS-I050	4/12/92	O	
CP	TRANS MOUNTAIN OIL PIPELINE	FERNDAL	92CP-N117	4/13/92	P	\$17,500
CP	HANJIN CONTAINER LINE CO	SEATTLE	92CP-N119	4/13/92	P	\$12,000
CP	HANJIN CONTAINER LINE CO	SEATTLE	92CP-N118	4/13/92	N	
CP	GEORGIA PACIFIC CORP	BELLINGHAM	92HS-I051	4/14/92	P	\$110,000
CP	GEORGIA PACIFIC CORP	BELLINGHAM	92AQ-I063	4/24/92	N	
CP	KAISER ALUMINUM AND CHEMICAL	MEAD	92AQ-I056	4/27/92	O	
CP	DAISHOWA AMERICA LTD INC	PORT ANGELES	92HS-I058	5/4/92	P	\$4,000
CP	TEXACO REFINING AND MARKETING	ANACORTES	92WQ-I061	5/6/92	P	\$3,000
CP	GEORGIA PACIFIC CORP	BELLINGHAM	92AQ-I060	5/7/92	N	
CP	SCOTT PAPER CO	EVERETT	92AQ-I062	5/7/92	N	
CP	QUIGG BROTHERS MCDONALD INC	ABERDEEN	92CP-S158	5/22/92	O	
CP	LONGVIEW FIBRE CO	LONGVIEW	92AQ-I065	5/26/92	N	
CP	WEYERHAEUSER CO	COSMOPOLIS	92AQ-I078	6/2/92	N	
CP	GEORGIA PACIFIC CORP	BELLINGHAM	92AQ-I079	6/9/92	N	
CP	GEORGIA PACIFIC CORP	BELLINGHAM	92WQ-I016	6/11/92	O	
CP	SCOTT PAPER CO	EVERETT	92WQ-I015	6/11/92	O	
CP	ITT RAYONIER INC	PORT ANGELES	92WQ-I014	6/11/92	O	
CP	ITT RAYONIER INC	HOQUIAM	92WQ-I013	6/11/92	O	
CP	WEYERHAEUSER CO	COSMOPOLIS	92WQ-I012	6/11/92	O	
CP	LONGVIEW FIBRE CO	LONGVIEW	92WQ-I009	6/11/92	O	
CP	JAMES RIVER CORP	CAMAS	92WQ-I008	6/11/92	O	
CP	BOISE CASCADE	WALLULA	92WQ-I007	6/11/92	O	
CP	JAMES RIVER CORP	CAMAS	92AQ-I075	6/12/92	O	
CP	KAISER ALUMINUM AND CHEMICAL	MEAD	92AQ-I076	6/12/92	O	
CP	VANALCO INC	VANCOUVER	92AQ-I072	6/12/92	O	
CP	SIMPSON TACOMA KRAFT CO	TACOMA	92AQ-I077	6/12/92	O	
CP	SCOTT PAPER CO	EVERETT	92AQ-I073	6/12/92	O	
CP	KAISER ALUMINUM AND CHEMICAL	TACOMA	92AQ-I074	6/12/92	O	
CP	WEYERHAEUSER CO	COSMOPOLIS	92WQ-I080	6/18/92	P	\$500
CP	WEYERHAEUSER CO	LONGVIEW	92WQ-I010	6/22/92	O	
CP	ITT RAYONIER INC	PORT ANGELES	92AQ-I083	6/23/92	N	
CP	BOISE CASCADE	STEILACOOM	92WQ-I084	6/29/92	P	\$500
CP	LONGVIEW FIBRE CO	LONGVIEW	92AQ-I091	6/29/92	N	
CP	WEYERHAEUSER CO	LONGVIEW	92AQ-I090	6/30/92	N	
SHW	CHRISTENSEN MOTOR YACHTS CORP	VANCOUVER	91-S190	7/18/91	P	\$9,000
SHW	MARINE VACUUM SERVICE INC	SEATTLE	91HS-N194	8/21/91	O	
SHW	JOHNSON MATHEY ELECTRONICS	SPOKANE	91HS-E911	8/30/91	P	\$57,000
SHW	JOHNSON MATHEY ELECTRONICS	SPOKANE	91HS-E910	8/30/91	O	
SHW	THURSTON CO PUB WORKS DEPT	OLYMPIA	91-S145	9/24/91	PO	\$5,000
SHW	RABANCO REGIONAL LANDFILL CO	ROOSEVELT	91HS-185	11/26/91	O	
SHW	SOL PRO INC	TACOMA	91HS-188	12/20/91	O	
SHW	FIRST CABIN MARINE	PORT TOWNSEND	91HS-S274	1/10/92	O	
SHW	FIRST CABIN MARINE	PORT TOWNSEND	91HS-S275	1/16/92	P	\$20,500
SHW	WASHINGTON CHEMICAL INC	SPOKANE	92HS-E902	1/31/92	P	\$429,000
SHW	WASHINGTON CHEMICAL INC	SPOKANE	92HS-E901	1/31/92	O	
SHW	SO GRAYS HARBOR TIMBER RES	SHELTON	92HS-S103	2/21/92	O	
SHW	ERSHIGS INC	BELLINGHAM	92HS-N111	3/3/92	P	\$92,000
SHW	ERSHIGS INC	BELLINGHAM	92HS-N110	3/3/92	O	
SHW	SOL PRO INC	TACOMA	92HS-S118	3/25/92	P	\$8,500
SHW	FULL CIRCLE INC	QUINCY	92HS-903	4/6/92	O	
SHW	PORT ANGELES CITY OF	PORT ANGELES	92HS-S137	4/16/92	N	
SHW	WESTERN REFUSE INC	CHENEY	92HS-111	5/1/92	P	\$10,000
SHW	ALLSTAR AEROSPACE INC	SHELTON	92HS-S144	5/7/92	P	\$81,000
SHW	FRONTIER AUTO	CENTRALIA	92HS-S161	5/7/92	P	\$6,000
SHW	ALLSTAR AEROSPACE INC	SHELTON	92HS-S143	5/7/92	O	
SH	COUNTRY CLUB ESTATES	LAKE CITY	91-152	8/6/91	O	
SH	HOLLANDER INVESTMENTS	LYNDEN	91-159	8/7/91	PO	\$5,000
SH	WASSER AND WINTERS INC	TOLEDO	91-151	8/9/91	PO	\$1,000
SH	YOST CORY	DISHMAN	91-160	8/14/91	PO	\$5,000
SH	NEWLIN ALICE	WHIDBEY ISLAND	91SH-161	8/22/91	PO	\$1,000

PROGRAM	ORGANIZATION	LOCATION	DOCKET NUMBER	ISSUE DATE	TYPE ACTION	AMOUNT ASSESSED
SH	OKANOGAN CO BOARD OF COMM	MAZAMA	91SH-167	8/27/91	O	
SH	BAGGETT ROBERT	MAZAMA	91SH-168	8/27/91	O	
SH	MOWER DANA	MAZAMA	91SH-169	8/27/91	O	
SH	OKANOGAN CO BOARD OF COMM	MAZAMA	91SH-170	8/27/91	O	
SH	COUNTRY CLUB ESTATES	FORT LEWIS	91-152A	8/30/91	O	
SH	NICHOLS BROS BOAT BUILDERS INC	WHIDBEY ISLAND	91SH-174	9/9/91	PO	\$10,000
SH	LARSON LARRY	BAY CITY	91SH-179	10/18/91	PO	\$1,000
SH	LANE WILLILAM	BAY CITY	91SH-180	10/18/91	PO	\$1,000
SH	FERNDALE READY MIX	FERNDALE	91SH-157	11/1/91	PO	\$5,000
SH	LARRANCE CLIFFORD	PORT LUDLOW	91SH-182	11/6/91	PO	1,000
SH	MALLIS MIKE	ASHFORD	91SH-181	11/19/91	PO	\$1,000
SH	LANE WILLIAM	BAY CITY	92SH-104	3/10/92	PO	\$10,000
SH	CLARK DENNIS	BONNEY LAKE	92SH-105	3/10/92	PO	\$2,000
TC	WHITTEN CARROLL	COLVILLE	91-E701	7/15/91	O	
TC	WA STATE DEPT TRANSPORTATION	VANCOUVER	91-2137	7/17/91	AO	
TC	CHRISTENSEN MOTOR YACHTS CORP	VANCOUVER	91-S189	7/18/91	O	
TC	KAISER ALUMINUM AND CHEMICAL	TACOMA	90-S217A	9/27/91	CO	
TC	PORT OF TACOMA	TACOMA	90-S217B	9/27/91	CO	
TC	PORT OF TACOMA	TACOMA	91-S199	10/7/91	AO	
TC	UNOCAL CORP	SEATTLE	91-S246	10/17/91	O	
TC	WHITTEN CARROLL	COLVILLE	91TC-E702	10/23/91	O	
TC	TRANS MOUNTAIN OIL PIPE LINE	BELLINGHAM	91-N192	10/28/91	O	
TC	SUPERIOR ASPHALT AND CONCRETE CO	YAKIMA	91TC-C444	10/31/91	O	
TC	US DEPT OF AGRICULTURE	TWISP	91TC-C445	11/15/91	O	
TC	US DEPT OF ENERGY	HANFORD SITE	91NM-177	11/20/91	CO	
TC	FEDERAL AVIATION ADMIN	SPOKANE	91TC-184	11/20/91	O	
TC	CITY OF TACOMA DEPT PUB WORKS	TACOMA	91-S238	11/22/91	CO	
TC	US OIL AND REFINING CO	TACOMA	91TC-S198	11/25/91	AO	
TC	US OIL AND REFINING CO	TACOMA	91TC-S263	11/25/91	O	
TC	MOBIL OIL CORP	LONGVIEW	92TC-S264	12/6/91	O	
TC	ASARCO INC	MILTON	91TC-S267	12/6/91	O	
TC	UHAUL OF INLAND NORTHWEST	YAKIMA	91TC-C453	12/16/91	O	
TC	EISEN CHEVRON STATION	OROVILLE	91TC-C449	1/10/92	O	
TC	NILSON RON	MINERAL	91TC-S192	1/29/92	P	\$2,000
TC	NILSON RON	MINERAL	91TC-S191	1/29/92	O	
TC	RICHARDSONS AIRWAY INC	YAKIMA	91TC-C45	1/30/92	AO	
TC	UHAUL CO OF INLAND NORTHWESTE	YAKIMA	92TC-C108	2/11/92	O	
TC	BURNS BROTHERS	THROP	92TC-C109	2/11/92	O	
TC	PUGET SOUND NAVAL SHIPYARD	BREMERTON	92TC-005	2/18/92	O	
TC	TACOMA PORT OF	TACOMA	92TC-S269	2/25/92	O	
TC	205 GROUP THE	VANCOUVER	92TC-S111	3/2/92	AO	
TC	VANCOUVER OIL CO INC	VANCOUVER	92TC-S112	3/2/92	AO	
TC	SEA LAND SERVICE INC	TACOMA	92TC-S114	3/5/92	O	
TC	CHELAN COUNTY	CASHMERE	92TC-C101	3/6/92	AO	
TC	TOWN PUMP	WHITE SALMON	92TC-C323	5/13/92	O	
TC	TIRE CENTERS INC	SUNNYSIDE	92TC-C324	5/21/92	AO	
TC	ASARCO INC	MILTON	92TC-S214	6/17/92	O	
TC	MARINE IND NORTHWEST INC	TACOMA	92TC-S204	6/30/92	O	
WQ	LEWIS DWIGHT	LOPEZ ISLAND	91-N171	7/8/91	PO	\$3,500
WQ	BLOCK AND TACKLE BOAT YARD	DES MOINES	91-N179	7/9/91	N	
WQ	ANGELES REAL ESTATES MGMT CO	RICHLAND	91WQ-C254	7/24/91	O	
WQ	ALPINE RESOURCES INC	LAKE STEVENS	91-E355	7/25/91	FO	
WQ	TEKOA CITY OF	TEKOA	91-E354	7/26/91	N	
WQ	SUNLAND DEVELOPMENT	SEQUIM	91-S223	7/29/91	N	
WQ	MAX J KUNEY CO	SPOKANE	91-E356	8/2/91	P	\$2,500
WQ	YOST CORY	SPOKANE	91-E357	8/8/91	O	
WQ	BANYAN RAIL SERVICES	TACOMA	91-S167	8/9/91	O	
WQ	CADMAN CONCRETE CO INC	MONROE	91WQ-N187	8/14/91	P	\$2,000
WQ	CADMAN CONCRETE CO INC	MONROE	91WQ-N186	8/14/91	N	
WQ	ALLEGRE MITZEL PARTNERSHIP	PUYALLUP	91-S222	8/16/91	P	\$20,000
WQ	ALLEGRE MITZEL PARTNERSHIP	PUYALLUP	91-S221	8/16/91	O	
WQ	FOSS MARITIME	SEATTLE	91WQ-N210	8/30/91	N	

PROGRAM	ORGANIZATION	LOCATION	DOCKET NUMBER	ISSUE DATE	TYPE ACTION	AMOUNT ASSESSED
WQ	PACIFIC FISHERMEN INC	SEATTLE	91WQ-N211	8/30/91	N	
WQ	MOUNTAIN VIEW DAIRY	OUTLOOK	91WQ-C331	9/6/91	FO	
WQ	CLYDE BISHOP DAIRY	GRANGER	91WQ-C332	9/6/91	FO	
WQ	FAIRFIELD TOWN OF	FAIRFIELD	91-E365	9/20/91	O	
WQ	TRI STAR MARINE INC	SEATTLE	91WQ-N224	10/8/91	P	\$8,000
WQ	SKAGIT CO PUB WORKS DEPT	CONWAY	91WQ-N235	10/8/91	P	\$1,000
WQ	VIC FRANCKS BOAT CO	SEATTLE	91WQ-N212	10/8/91	N	
WQ	TRI STAR MARINE INC	SEATTLE	91WQ-N223	10/8/91	N	
WQ	SKAGIT CO PUB WORKS DEPT	CONWAY	91WQ-N228	10/8/91	N	
WQ	PROSSER CITY OF	PROSSER	91WQ-C334	10/17/91	P	\$18,250
WQ	TWIN CITY FOODS INC	PROSSER	91WQ-C337	10/17/91	P	\$1,000
WQ	WASHINGTON FRONTIER JUICE	PROSSER	91WQ-C338	10/17/91	P	\$3,000
WQ	TWIN CITY FOODS INC	PROSSER	91WQ-C336	10/17/91	FO	
WQ	PASCO CITY OF	PASCO	91WQ-E372	10/22/91	FO	
WQ	SUNNEN CRANE SERVICE	SEATTLE	86-N238A	10/30/91	FO	
WQ	ALLIED AQUATICS	OLYMPIA	91WQ-175	11/4/91	PO	\$1,000
WQ	WA STATE DEPT PARKS AND REC	SPOKANE	91WQ-E374	11/19/91	N	
WQ	SHANNON POINT SEAFOODS INC	ANACORTES	91WQ-N244	11/27/91	P	\$1,000
WQ	SHANNON POINT SEAFOODS INC	ANACORTES	91WQ-N243	11/27/91	N	
WQ	TEXACO REFINING AND MARKETING	ANACORTES	91WQ-183	12/2/91	P	\$20,000
WQ	US OIL AND REFINING CO	TACOMA	91-S164	12/2/91	P	\$45,000
WQ	JAYELLE DAIRY	GRANGER	91WQ-C450	12/12/91	P	\$1,000
WQ	THURSTON CO PUB WORKS DEPT	OLYMPIA	91WQ-S260	12/20/91	P	\$500
WQ	MEDICAL LAKE CITY OF	MEDICAL LAKE	91WQ-E376	12/31/91	O	
WQ	HARRINGTON CITY OF	HARRINGTON	91WQ-E377	1/6/92	FO	
WQ	CHEHALIS CITY OF	CHEHALIS	91WQ-S280	1/6/92	O	
WQ	TREOIL INDUSTRIES LTD	CUSTER	91WQ-N259	1/7/92	P	\$4,000
WQ	FARWEST TAXICABS	SEATTLE	91WQ-N241	1/7/92	N	
WQ	TREOIL INDUSTRIES LTD	FERNDAL	91WQ-N257	1/7/92	N	
WQ	SPOKANE INDUSTRIAL PARK	SPOKANE	92WQ-E301	1/21/92	N	
WQ	FOSS MARITIME	SEATTLE	91WQ-N210	1/22/92	FO	
WQ	PACIFIC FISHERMAN INC	SEATTLE	92WQ-N211	1/22/92	O	
WQ	VIC FRANCKS BOAT CO	SEATTLE	91WQ-N212	1/22/92	FO	
WQ	SANOFI BIO INDUSTRIES INC	WAPATO	92WQ-C102	1/24/92	O	
WQ	PENTURBIA DEVELOPMENT CORP	LYNDEN	92WQ-N102	1/28/92	P	\$2,000
WQ	MUNICIPALITY OF METRO SEATTLE	KIRKLAND	92WQ-N105	1/28/92	P	\$1,000
WQ	FRANK COLUCCIO CONST CO	KIRKLAND	92WQ-N106	1/28/92	P	\$1,000
WQ	PENTURBIA DEVELOPMENT CORP	LYNDEN	92WQ-N102	1/28/92	N	
WQ	KALAMA CHEMICAL INC	KALAMA	92WQ-S102	1/31/92	P	\$158,500
WQ	KALAMA CHEMICAL INC	KALAMA	92WQ-S101	1/31/92	N	
WQ	INLAND EMPIRE PAPER CO	SPOKANE	91WQ-E379	2/3/92	O	
WQ	LAKE UNION DRY DOCK CO	SEATTLE	91WQ-N256	2/3/92	P	\$43,500
WQ	DETLING DAIRY FARM	STANWOOD	92WQ-N104	2/3/92	P	\$1,000
WQ	POST DAIRY FARM	BELLINGHAM	92WQ-N109	2/3/92	P	\$1,500
WQ	DETLING DAIRY FARM	STANWOOD	92WQ-N103	2/3/92	N	
WQ	POST DAIRY FARM	BELLINGHAM	92WQ-N108	2/3/92	N	
WQ	LAKE UNION DRY DOCK CO	SEATTLE	91WQ-N255	2/4/92	N	
WQ	DAVENPORT CITY OF	DAVENPORT	92WQ-E303	2/5/92	O	
WQ	COW PALACE THE	YAKIMA	92WQ-C107	2/7/92	N	
WQ	KLEIN DAIRY FARM	ARLINGTON	92WQ-N113	2/12/92	P	\$1,500
WQ	KLEIN DAIRY FARM	ARLINGTON	92WQ-N112	2/12/92	N	
WQ	BINGEN CITY OF	BINGEN	92WQ-C110	2/13/92	O	
WQ	DIAMOND LAKE WATER AND SEWER	NEWPORT	92WQ-E302	2/14/92	O	
WQ	ALBION TOWN OF	ALBION	92WQ-E306	2/21/92	O	
WQ	OTHELLO CITY OF	OTHELLO	92WQ-E307	2/24/92	O	
WQ	WIERSMA DAIRY FARM	ARLINGTON	92WQ-N115	3/4/92	P	\$2,000
WQ	WIERSMA DAIRY FARM	ARLINGTON	92WQ-N114	3/4/92	N	
WQ	WHITE LEASURE DEVELOPMENT CO	LACEY	92WQ-S110	3/6/92	P	\$9,500
WQ	VOLKER TERRY	COLVILLE	92WQ-E309	3/13/92	N	
WQ	KING CO DEPT PUB WORKS	BELLEVUE	92WQ-N141	3/13/92	N	
WQ	BLACK RIVER RANCH	LITTLEROCK	92WQ-S125	3/13/92	O	
WQ	BLACK RIVER RANCH	LITTLEROCK	92WQ-S215	3/13/92	O	
WQ	WA STATE UNIVERSITY	PULLMAN	92WQ-E310	3/24/92	P	\$6,000
WQ	WA STATE UNIVERSITY	PULLMAN	92WQ-E311	3/24/92	O	
WQ	WILCOX FAMILY FARMS INC	ROY	92WQ-S130	3/27/92	O	
WQ	KAMSTRA DAIRY	EATONVILLE	92WQ-S124	4/4/92	P	\$9,000

PROGRAM	ORGANIZATION	LOCATION	DOCKET NUMBER	ISSUE DATE	TYPE ACTION	AMOUNT ASSESSED
WQ	CAMAS CITY OF	CAMAS	92WQ-S126	4/4/92	P	\$1,000
WQ	MCDEVITT TOM	LEAVENWORTH	92WQ-C116	4/14/92	N	
WQ	MYERS SAM	PORT ORCHARD	92WQ-S142	4/15/92	O	
WQ	SPOKANE INDUSTRIAL PARK	SPOKANE	92WQ-E312	4/20/92	O	
WQ	SEATTLE STEEL INC	SEATTLE	92WQ-N189	4/27/92	P	\$6,000
WQ	SEATTLE STEEL INC	SEATTLE	92WQ-N188	4/27/92	O	
WQ	ENTERPRISE LUMBER CO	OSO	92WQ-N155	4/28/92	P	\$1,000
WQ	GLOBAL PACIFIC FOREST PRODUCTS	SNOHOMISH	92WQ-N140	4/28/92	P	\$3,000
WQ	LANTING DAIRY FARM	MOUNT VERNON	92WQ-N162	4/28/92	P	\$2,500
WQ	ENTERPRISE LUMBER CO	ARLINGTON	92WQ-N154	4/28/92	N	
WQ	GLOBAL PACIFIC FOREST PRODUCTS	SNOHOMISH	92WQ-N139	4/28/92	N	
WQ	LANTING DAIRY FARM	MOUNT VERNON	92WQ-N161	4/28/92	N	
WQ	FARWEST TAXICABS	SEATTLE	92WQ-N241	4/28/92	O	
WQ	NIELSON BROTHERS INC	BELLINGHAM	92WQ-N163	4/29/92	N	
WQ	CHEVRON USA INC	SEATTLE	92WQ-N179	4/30/92	N	
WQ	KING CO DEPT PUB WORKS	SEATTLE	92WQ-N141	4/30/92	FO	
WQ	KALAMA CITY OF	KALAMA	92WQ-S163	5/1/92	N	
WQ	AAA MONROE ROCK CORP	SNOHOMISH	92WQ-N202	5/13/92	P	\$8,750
WQ	AAA MONROE ROCK CORP	SNOHOMISH	92WQ-N201	5/13/92	N	
WQ	NORTH BEND DEPT PUB WORKS	NORTH BEND	92WQ-N200	5/13/92	N	
WQ	BRIDE SONS INC	WOODINVILLE	92WQ-N171	5/13/92	N	
WQ	VOLKER TERRY	COLVILLE	92WQ-3309	5/29/92	FO	
WQ	DRIESEN ART	SUNNYSIDE	92WQ-C326	6/8/92	P	\$1,000
WQ	STEELHAMMER SALMON FARM	ROCHESTER	92WQ-S203	6/9/92	P	\$11,250
WQ	ZAHNOW ALVIN	WOODINVILLE	92WQ-N170	6/12/92	N	
WQ	MUNICIPALITY OF METRO SEATTLE	BELLEVUE	92WQ-N213	6/15/92	N	
WQ	BURLINGTON NORTHERN RR	LACEY	92CP-S145	6/17/92	P	\$2,000
WQ	SAGE HILL DAIRY	OTHELLO	92WQ-E327	6/18/92	O	
WQ	NORTH BEND CITY OF	NORTH BEND	92WQ-N200	6/23/92	FO	
WQ	ANDY R INC	ELMA	92WQ-S193	6/24/92	O	
WQ	J B SOD AND SEED	REDMOND	92WQ-N227	6/26/92	N	
WQ	OCEAN STAR SEAFOODS	BELLINGHAM	92WQ-N2226	6/30/92	O	
WR	AXELSEN DRILLING	STANWOOD	91-N180	7/2/91	P	\$800
WR	YOUNG MIKE	ELLENSBURG	91WR-C270	7/12/91	O	
WR	WATER WELLS DRILLING INC	ELLENSBURG	91WR-C271	7/12/91	O	
WR	ZINKGRAFS WELL DRILLING CO	REARDAN	91WR-E547	7/12/91	O	
WR	DIETRICH LARRY	REARDAN	91WR-E548	7/19/91	O	
WR	J AND J DRILLING INC	OPPORTUNITY	91WR-E549	9/18/91	O	
WR	MILLER STEVE	OPPORTUNITY	91WR-E550	9/18/91	O	
WR	HERCULES RANCH LTD PARTNERSHIP	RITZVILLE	91WR-E522	9/26/91	O	
WR	BAR U RANCHES INC	BENGE	91WR-E551	9/26/91	O	
WR	HERCULES RANCH LTD PARTNERSHIP	BENGE	91WR-E553	9/26/91	O	
WR	HERCULES RANCH LTD PARTNERSHIP	BENGE	91WR-E554	9/26/91	O	
WR	P AND P WELL DRILLING	BREMERTON	91WR-N237	10/3/91	O	
WR	CARMAN JAMES	KITTITAS	91WR-C344	10/8/91	O	
WR	CARMAN JAMES	ELLENSBURG	91WR-C345	10/21/91	P	\$7,800
WR	ATLAS DRILLING AND EXPLORATION	ELLENSBURG	91WR-C347	10/21/91	P	\$7,800
WR	KC KANE DRILLING	HUDSON	91WR-E558	11/13/91	P	\$300
WR	KC KANE DRILLING	NORTHPORT	91WR-E559	11/13/91	O	
WR	PERIGO CHARLES	NORTHPORT	91WR-E560	11/13/91	O	
WR	SKY RIVER WELL DRILLING	SNOHOMISH	91WR-N252	11/27/91	O	
WR	MOREK DRILLING	MONROE	91WR-N253	11/27/91	O	
WR	MILLER JERRY	CHEWELAH	91WR-E562	12/9/91	P	\$500
WR	MILLER JERRY	CHEWELAH	91WR-E561	12/9/91	O	
WR	BARRETT PATRICK	POULSBO	91WR-N258	12/9/91	O	
WR	AMERICAN DRILLING CO	CLE ELUM	91WR-C391	12/24/91	O	
WR	FRANZ ROBERT	RITZVILLE	92WR-E102	1/7/92	P	\$1,200
WR	FRANZ ROBERT	RITZVILLE	92WR-E101	1/7/92	O	
WR	VERMILLION WELL DRILLING	SPOKANE	92WR-E103	1/16/92	P	\$100
WR	VERMILLION WELL DRILLING	SPOKANE	92WR-E104	1/16/92	P	\$100
WR	AMERICAN DRILLING CO	RONALD	92WR-C124	1/17/91	O	
WR	AMERICAN DRILLING CO	CLE ELUM	92WR-C125	1/17/92	O	
WR	MARTIN KELLY	UNION GAP	92WR-C128	1/21/92	O	
WR	KENNEWICK CITY OF	KENNEWICK	92WR-003	1/24/92	O	

PROGRAM	ORGANIZATION	LOCATION	DOCKET NUMBER	ISSUE DATE	TYPE ACTION	AMOUNT ASSESSED
WR	MOUNTAIN WELL DRILLING	CLE ELUM	92WR-C130	2/11/92	P	\$200
WR	GEISER LAND CO	EASTSOUND	92WR-004	2/11/92	O	
WR	NEWHOUSE DAVID	MABTON	92WR-C133	2/19/92	O	
WR	BUDINGER AND ASSOCIATES	SPOKANE	92WR-E105	2/26/92	P	\$200
WR	3D TANK AND PETROLEUM EQUIP CO INC	WALLA WALLA	92WR-E109	2/26/92	P	\$1,500
WR	D AND F DRILLING	SOAP LAKE	92WR-E106	2/26/92	O	
WR	KUNES RUTH	SOAP LAKE	92WR-E107	2/26/92	O	
WR	3D TANK AND PETROLEUM EQUIP CO INC	MILTON	92WR-E108	2/26/92	O	
WR	DILG DANNY	SPOKANE	92WR-E110	2/26/92	O	
WR	VERMILLION WELL DRILLING	SPOKANE	92WR-E111	2/26/92	O	
WR	DIETRICH WELL DRILLING	WENATCHEE	92WR-C135	3/10/92	P	\$700
WR	WENATCHEE HGHTS RECLAMATION	WENATCHEE	92WR-103	3/11/92	O	
WR	CASCADE DRILLING	WENATCHEE	92WR-C137	3/20/92	O	
WR	B AND M PUMP AND WELL	ZILLAH	92WR-C139	3/26/92	O	
WR	P AND P WELL DRILLING	PORT ORCHARD	92WR-N153	4/14/92	P	\$16,500
WR	CURRAN HENRY	ANACORTES	92WR-N166	4/24/92	O	
WR	MORTON BILL	ARLINGTON	92WR-N167	4/24/92	O	
WR	CASCADE DRILLING	WENATCHEE	92WR-C141	4/30/92	O	
WR	DUCKWORTH PUMP AND DRILLING	BAINBRIDGE IS	92WR-N168	5/10/92	O	
WR	COUNTRY TOWN DRILLING	TWISP	92WR-C235	5/20/92	P	\$1,200
WR	ZENT DRILLING INC	VANCOUVER	92WR-S199	5/29/92	P	\$3,900
WR	ZENT DRILLING INC	VANCOUVER	92WR-S199	5/29/92	O	
WR	HAWKINS BUD	TWISP	92WR-127	6/18/92	O	
WR	RABEL JOHN	TWISP	92WR-128	6/18/92	O	

NOTES: * AQ = AIR QUALITY
 CP = CENTRAL PROGRAMS
 SH = SHORELANDS
 SHW = SOLID & HAZARDOUS WATE
 TC = TOXICS CLEAN-UP
 WR = WATER RESOURCES
 WQ = WATER QUALITY

** N = NOTICE OF PENALTY
 O = ORDER
 FO = FOLLOW-UP ORDER
 AO = AGREED ORDER
 CO = CONSENT ORDER
 P = PENALTY
 PO = PENALTY/ORDER COMBINATION
 I = NOTICE OF INTENT